

Date: January 11, 2017

To: Borough Council

From: Timothy D. Bradley, Jr.

RE: Mayor's Report:

Mayoral Recognition

Special Presentation

Mayoral Initiatives

- I am pleased to announce that Lancaster County Commissioners approved the LERTA for designated areas in Mount Joy on December 28. Passage by the County followed passage by the School Board in the Fall and Borough Council earlier this year. The passage of the LERTA is the result of a three year process. I would like to specifically like to thank Stacie Gibbs and Scott Hershey for their hard work. Their efforts were critical and played a pivotal role in helping me bring this powerful economic tool to successful passage. I would also like to thank the Planning Commission, Borough Council, the Donegal School Board, and the Lancaster County Commissioners for their feedback and support. Together we have taken a powerful step forward to increase the potential of investment in our community.
- With the cooperation of the leadership of the MJBPD and FDMJ, I have continued spearhead work on a local medal and honors program to honor local emergency responders and community members. This work is drawing to a conclusion and will hopefully be presented for passage by involved agencies within the coming month.
- Continued actions are being taken to collectively address the heroin epidemic through leadership of the Lancaster County Anti-Heroin Task Force, and continue to work on regional cooperation initiative with members of the task force and partnering organizations/agencies.
- Had ongoing meetings throughout the month with Chief Williams concerning police department operational and personnel matters.

Events and Ceremonies

Nov. 30 – December 15: As one of six young political leaders selected nationally, I traveled on a U.S. State Department funded initiative to Japan. The sending organization was the American Council of Young Political Leaders (ACYPL) and the receiving organization was the Japan Center for International Exchange (JCIE). Our journey took us to the Kochi and Gifu Prefectures as well as to Tokyo. During this program, I met and interacted with a high-ranking national, regional, and local government officials; policy makers; political and campaign professionals; business, labor, and community leaders; and thought leaders to discuss ideas and issues and to share experiences in government, politics, and policy making. Additionally, I served as a cultural emissary for our nation, state, region, and local community, and participated in culturally relevant experiences. Among the many highlights of the trip include meetings with the following: The Honorable Hiroyasu Izumi Deputy Chief of Mission, Embassy of Japan; The Honorable Hiroyasu Izumi, Deputy Chief of Mission, Embassy of Japan; The Honorable Hajime Furuta, Governor, Gifu Prefecture; The Honorable Masanao Ozaki, Governor of Kochi

Prefecture, and over 10 Members of the Diet (Japan's National Legislature). Additionally, The Honorable Shigemitsu Hosono, Mayor, Gifu City was presented with a flag from our Borough. A full schedule of meeting and events will be added to the record following receiving an electronic copy from JCIE.

December 21: Attended Mount Joy Borough Christmas Party

Detective Summary of Cases

CASE DESCRIPTION	Previous Month 2016	NEW CASES Nov 15 - Dec14 2016	Monthly CLOSED CASES	TOTAL
Accident, Hit & Run	0			0
Arson	0			0
Assault	0			0
Assist Other Agency	0	1	1	0
Burglaries	31	2	(5)	33
Criminal Mischief / Vandalism	3	3	3 (2)	3
Child & Family Offense (Abuse)	1			1
Death Investigation	0			0
Drug Offense	0	1	1	0
Harassment by Communication	1			1
Fraud (Forgery, Id Theft, etc.)	20		1	19
Receiving Stolen Property	0			0
Robbery	6			6
Suspicious Activity	3			3
Theft	46	1	2 (6)	45
Trespass	0			0
Miscellaneous	3			3
Threat to Official	0			0
Sex Offense				
Adult	2	1	3	0
Juvenile	4	1	2	3
TOTAL OPEN CASES	120	10	13	117
New Cases Assigned	10	MTH		
Closed Cases*	104	YTD		
Warrants Served	0	MTH		
Surveillance Hours Conducted**	0	MTH		

*cold cases are marked in ()

MOUNT JOY BOROUGH (36413) UCR Report
MTD 11/01/2016 thru 11/30/2016

<u>Category</u>	<u>UCR Code/Description</u>	<u>MTD Count</u>
	AID/ASSIST	2
	ALARMS	11
	ASSIST AMBULANCE	1
	CRASH	11
	HAZARD	1
MISCELLANEOUS		
	CRIMINAL TRESPASS	1
	FOUND PROPERTY	1
	HINDERING APPREHENSION	1
	INTELLECTUAL DISABILITY CASE/COMMITMENT	1
	PATROL INFORMATION	1
	PFA ORDERS	1
	UNAUTHORIZED USE OF MOTOR VEHICLE	1
	WARRANT SERVICE	2
NOISE		
	911 HANG-UP	1
	DOG BITE	1
	DOMESTIC	2
	PARENT / CHILD	1
	SUSPICIOUS ACTIVITY	3
	TRAFFIC COMPLAINT	1
	201 - RAPE FORCE/WITHOUT CONSENT	1
	404 - ASSAULT WITH HANDS, FISTS, FEET	1
	503 - BURGLARY NO FORCE	2
	602 - THEFT FROM BUILDINGS	3
	606 - THEFT PICKPOCKET	1
	608 - THEFT SHOPLIFTING	4
	609 - THEFT ALL OTHER	2
	802 - ASSAULT - NON-AGGRAVATING HARASSMENT PHYSICAL CONTACT	1
	803 - ASSAULT - NON-AGGRAVATING HARASSMENT PHYSICAL CONTACT - DOMESTIC VIOLENC	1
	907 - ARSON OTHER RESIDENCE	1
	1102 - FRAUD ACCESS DEVICE FRAUD	1
	1405 - CRIMINAL MISCHIEF / VANDALISM NON-RESIDENCE	1

MOUNT JOY BOROUGH (36413) UCR Report
MTD 11/01/2016 thru 11/30/2016

<u>Category</u>	<u>UCR Code/Description</u>	<u>MTD Count</u>
	1407 - CRIMINAL MISCHIEF / VANDALISM RESIDENCE	1
	1702 - SEX OFFENSES INDECENT ASSAULT	1
	1706 - SEX OFFENSES SEXUAL ABUSE OF CHILD	2
	1709 - SEX OFFENSES ALL OTHERS	1
	2101 - DUI DUI CRASH RELATED	2
	2102 - DUI DUI NON-CRASH RELATED	2
	2203 - LIQUOR LAWS PURCHASE / POSSESSION / CONSUMPTION / TRANSPORTATION	1
	2301 - DRUNKENNESS PUBLIC DRUNKENNESS	2
	2402 - DISORDERLY CONDUCT HARASSMENT - BY COMMUNICATIONS	3
	2404 - DISORDERLY CONDUCT HARASSMENT - CONDUCT / DOMESTIC VIOLENCE / ALARMED	1
	2409 - DISORDERLY CONDUCT FIGHTING/THREATENING BEHAVIOR	1
	ALL OTHERS	1
	3702 - MISSING PERSON JUVENILE	1

Total UCR Incidents Previous Year Month of November, 2015	67
Total CAD Incidents Previous Year Month of November, 2015	425
Total Incidents Previous Year To Date	5110

Total UCR Reportable Incidents For Month of November, 2016	82
Total CAD Incidents For Month of November, 2016	503
Total Incidents Year to Date	5610

BOROUGH OF MOUNT JOY POLICE DEPARTMENT

Maurice Williams
Chief of Police

21 East Main Street
Mount Joy, PA 17552

ARREST REPORT NOVEMBER 2016

TRAFFIC ARRESTS

Careless Driving.....	1
Drivers Required to be Licensed.....	4
Driving on Roadways Laned for Traffic.....	1
Driving Vehicle at Safe Speed.....	1
Driving While Operating Privilege is Suspended or Revoked.....	4
Drove a Vehicle at a Speed Greater Than was Reasonable	1
Failed to Drive Within a Single Lane	1
Failed to Notify Police When Accident Involved Damage to Vehicle	1
Failed to Stop at Steady Red Signal.....	1
Flee/Elude Police	1
Following Too Closely.....	2
Investigation by Police Officers.....	1
Maximum Speed Limits.....	34
Obedience to Traffic- Control Devices	1
Operated Vehicle Before Proof of Financial Responsibility.....	1
Operated a Vehicle in Careless Disregard for the Safety of Persons	3
Operated a Vehicle on Private Property Without Consent.....	1
Operated Vehicle With Expired PA Registration	1
Operation Following Suspension of Registration	2
Operation of Vehicle Without Official Certificate of Inspection.....	3
Passed on the Left in an Unsafe Manner.....	1
Registration & Certificate of Title Required.....	3
Required Financial Responsibility	2
Restraint Systems	1
Stop Signs and Yield Signs.....	4

TOTAL NOV 2016 76
Total NOV 2015 41

CRIMINAL ARRESTS

Assault.....	3
Criminal Conspiracy	3
Criminal Trespass	1
Disorderly Conduct.....	1
DUI.....	9
False Alarm to Agencies of Public Safety	1
False Reports to Law Enforcement	1
Harassment.....	3
Hinder Prosecution.....	1
Possession of Small Amount of Marijuana for Personal Use	1
Possession With Intent to use Drug Paraphernalia.....	1
Public Drunkenness.....	2
Receiving Stolen Property.....	3
Reckless Endanger Another Person	1

BOROUGH OF MOUNT JOY POLICE DEPARTMENT

Maurice Williams
Chief of Police

21 East Main Street
Mount Joy, PA 17552

Theft	6
Transfer of Liquor	1
Vandalism	1

TOTAL NOV 2016	39
<i>Total NOV 2015</i>	<i>36</i>

JUVENILE ARRESTS

Arson	2
Criminal Mischief	1
Retail Theft	1

TOTAL NOV 2016	4
<i>Total NOV 2015</i>	<i>0</i>

**MOUNT JOY BOROUGH POLICE DEPARTMENT
CAD INCIDENT COUNT**

11/1/2016 thru 11/30/2016

Miscellaneous/Unknown	52
Ambulance Call	37
Court/Hearings	6
Crash	3
Fire Call	1
Follow Up	51
Investigation	35
Parking	8
Phone Call	50
Premise Check	58
Processing	8
Service Call	168
Special Detail	12
Traffic Arrest	3
Traffic Detail	4
Verbal Warning	4
Warning	1
Warrants	2
CAD INCIDENT COUNT	503

**MOUNT JOY BOROUGH POLICE DEPARTMENT
MONIES COLLECTED NOVEMBER 2016**

	331.120	Borough Tickets (Other)	\$340.00
	321.310	Bicycle Registration	\$0.00
	380.010	Alarm Fees	\$200.00
	321.600	Mercantile Licenses	\$0.00
	362.100	Police Reports	\$195.00
331.11	331.120	Clerk of Court Disbursement	\$449.19
331.11	331.120	Magisterial Court Disbursement	\$2,151.85
	410.183	Lancaster Co. SERT Reimbursement	\$107.85

TOTAL Nov 2016	\$3,443.89
<i>Total Nov 2015</i>	<i>\$1,714.83</i>

Submitted by: _____

Received by: _____

D. Ward

New Detective Cases

	2010	2011	2012	2013	2014	2015	2016
January	9	15	17	11	0	6	6
February	12	18	17	4	8	12	6
March	14	4	17	5	6	11	6
April	5	5	5	8	4	5	8
May	10	11	34	7	1	13	2
June	9	15	13	8	3	10	2
July	16	17	7	10	5	8	3
August	10	17	7	8	4	10	12
September	7	23	13	10	1	6	4
October	4	7	9	9	11	6	13
November	6	7	9	9	7	4	10
December	5	8	10	4	12	6	

Fire Department Mount Joy

Alarm Summary Report

11/1/2016 through 11/30/2016

Alarms

Number of Alarms: 52 First Due: 29 Mutual Aid: 23
Total Time in Service: 26:14

Personnel

Fire Fighters: 335 Junior Fire Fighters: 39 Fire Police: 50 Total: 424
Total Personnel Manhours: 236:44 Average Manpower Per Alarm: 8.15

Estimated Fire Loss

Property Endangered: \$154,500.00 Property Lost: \$12,530.00 Property Saved: \$141,970.00

Apparatus

Duty Chief Vehicle	19	Duty Officer Vehicle	5	Engine 7-5-1	26
Engine 7-5-2	13	Fire Police Personal	9	Personal Vehicle	2
Squad 75	1	Traffic 75	10	Truck 7-5	19

Municipal Response (First Due)

East Donegal Township 3 Mount Joy Borough 13 Mount Joy Township 3
Rapho Township 10

Municipal Response (Mutual Aid)

Columbia Borough	3	Penn Township	1
Conoy Township	2	Rapho Township	1
East Donegal Township	2	West Donegal Township	1
East Hempfield Township	3		
East Petersburg Borough	1		
Elizabethtown Borough	1		
Manhiem Borough	1		
Marietta Borough	3		
Mount Joy Township	4		

Alarm Type (First Due)

Alarm system sounded due to malfunction	1	Assist police or other governmental agency	1
Authorized controlled burning	1	Building fire	3
Carbon monoxide incident	1	Dispatched & cancelled en route	4
Extrication of victim(s) from vehicle	1	Fire, Other	1
Good intent call, Other	2	Medical assist, assist EMS crew	2
Motor Vehicle Accident with no injuries	1	Motor vehicle accident with injuries	5
Natural vegetation fire, Other	1	No incident found on arrival at dispatch address	1
Power line down	1	Public service	1
Smoke detector activation, no fire - unintentional	1	Smoke scare, odor of smoke	1

MEMO

To: Mount Joy Borough Council
Rapho Township Supervisors
East Donegal Township Supervisors
Mount Joy Township Supervisors

From: Philip A Colvin
Fire Chief, FDMJ

Ref: November 2016 Incident Summary Report

Date: December 26, 2016

Attached is the November 2016 Monthly Incident Summary Report.

Notable Incidents or Events:

1. No notable incident for the month of November.



Borough report Jan. 4, 2016

Organization- A) Payroll has been set up for MSMJ for 2017. Account received all information.

B) Meeting schedule has been completed for the first two months

C) MSMJ Calendar has been finished still awaiting final approval

E) All request have been submitted and completed for accreditation

F) Board members will be added in Jan. to be announced in Feb.

Design- A) We have approved a total of \$34,469.79 in facade grants to date we are currently waiting for another \$9,291 to be paid to recipients. Leaving a total of \$15,530.21.

B) Decoration are due to be taking down next week

C) We will be working with VFW on a new Banner program to honor our hometown heroes.

Economic Development-

A) Our first buy local campaign will be in February

B) MSMJ will host the same number of events as last year.

C) We will also be doing a downtown survey about the downtown on a number of things some examples. Will be walkability, living in Mount Joy, and shopping and dining in Mount Joy.

D) MSMJ will be offering classes in 2017 for new and existing businesses on marketing and management.

E) Business recruitment we will work to refine our team of resources for 2017 to help with this process

Promotions- A) Our promotions committee will need to give final approval on our event calendar for 2017

B) First Major event will be the Wine and Chocolate walk. Feb. 24th & 25th

C) Parade committee meetings underway for the Mount Joy Memorial Day Parade for 2017

4th Fridays Downtown Mount Joy

DINING • SHOPPING • ENTERTAINMENT



4th Fridays in Downtown Mount Joy showcase the distinctive small town charm of our vibrant and friendly dining, shopping, and entertainment venues, making Mount Joy a great destination for a night out for residents and visitors of all ages.

5PM—8PM

- **February 24th and 25th** - *Chocolate and Wine Walk*
- **March 24th** - Shop and Dine Downtown
- **April 28th** - Scavenger Trivia Egg Hunt
- **May 26th** - Salute to Hometown Heroes
- **May 27th** - Memorial Day Parade 2pm start
- **June 23rd** - Movie in the Park
- **July 28th** - Shop and Dine Downtown
- **July 29th** - "Mount Joy Cruisin' Cuisine" Car Show
- **August 25th** - Movie in the Park
- **September 22nd** - Blues Brews & Bar-B-Q
- **October 27th** - Halloween Party Downtown
- **November 24th** - "Ladies Night" Wine and Cheese
- **November 25th** - Small Business Saturday
- **December 2nd** - Winterfest
- **December 22nd** - Shop and Dine Downtown



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 Mount Joy Borough, Mount Joy Township and Rapho Township

Named **BEST SMALL LIBRARY IN AMERICA** by the Gates Foundation & Library Journal

November 2016

Compiled by Barbara Basile, Executive Director

Contributors: Nancy Behney, Susan Craine, Jan Betty, Kirstin Rhoades, & Donna Little

NOV 2016 Statistics	2016	2016 YTD	2015	2014	2013
TOTAL CIRCULATION	14,092	169,637	14,602	14,276	15,765
Overdrive	645	7,182			
NEW PATRONS	70	864	58	51	66
PATRON COUNT	7,740	67,008	6,406	6052	6,676
DVD RENTALS	247	2,761	235	243	254
COMPUTER LOG-INS	664	6151			
WIRELESS ACCESS	433	3668			
NOTARY	8	61	5	5	8
PASSPORTS	84	891	84	51	56
Community Room Rentals					
Volunteer Hours	181	1736			
	<u>Programs</u>	<u>Children</u>	<u>Teens</u>	<u>Adults</u>	
Youth Services	20	284	5	213	
Teen programs	2	0	20	0	
Offsite	2	152	0	14	
SRP sign-ups total	1342				
Adult Programs	9			150	

Executive Summary

So many things to be thankful for this November. Four fundraisers benefitting the Library. In addition to the 5th annual *ExtraGive* campaign, the Library benefitted from the Mount Joy Police Department's *Beards for Books*, the *Holiday Craft and Book Sale* by the Friends of the Library and their Election Day Bake Sale.

Renovation project is complete. We've received many positive comments. It is a pleasure to see so many people sitting in the newly created nooks. One by-product of the reorganization is that most of our old foreign language CD-Rom materials were removed from the collection. People may now borrow them from the Lancaster Public Library.

To replace this resource, we reviewed on-line language learning sources. We have chosen Pronunciator. This subscription service can be retrieved via our website and used on many devices (phones, MP3 players, laptops, tablets, etc). Multiple users can use the same materials and they can progress at their own speed. They seem very user friendly.

Personnel

- Personnel Policy approved by Board Members. Presented to staff at December 1 meeting. All have signed.
- 3 Board members retire and 3 new board members were interviewed for Board positions: Mindy Carreras, Tracy Miller and Jean Witmer.

- Susan retested and passed for passport agent.
- Carrie returned from maternity leave on December 1.

Community Relations (*Barbara et al*)

- Meetings: Main St Mount Joy Winterfest meeting, weekly Rotary meetings, Friends Group, E-town HUB, and Chamber Luncheon.
- November municipality meetings: Mount Joy and East Donegal
- Election Day went smoothly
- "Reading and writing with Anne Frank" has been scheduled for February 6-March 9.

Youth Services (*Jan*)

- Hosted 7 Storytime programs and an IU service day
- Held our first Teen Anime Club with 17 attending
- Richard hosted his first 2 Saturday programs
- Visited Donegal SD Kindergarten classes and handed out library bookmarks
- Purchased \$2,000 worth of hardcover beginning readers' books.

Finance/Fundraising (*Nancy*)

- 4 events topped \$15,000 in donations.
- Barbara met with Nancy Behney, Teresa Engle and Connie H. to map out the 2017 fundraising schedule.
- We begin preparing the corporate and individual mail pieces to go out on February 1 - *Library Lover's Month*.

Facility (*Barbara*)

- Snow plow contract with Integrity finalized for winter weather.
- Signage, including new Donor Recognition Board by Carper sign installed
- Our cleaning services has contributed additional services. They have done some extra dusting, deep cleaned the tiles and added some weather-stripping to the back door.

Public Relations/Promotions (*Kirstin*)

- 2151 people receive CONSTANT CONTACT E-newsletter.
- SOCIAL MEDIA: 20+ Facebook postings, Twitter & Instagram
- 4 PRESS RELEASES - to media, municipalities and Chamber of Commerce.
- Graphic design: 13 POSTERS, Created coloring bookmarks for 4 events.
- Updated Bookmarks for Book Discussion Group
- December calendars
- LOBBY TV – created series of slides promoting Library events and programs
- Website: Updated Nov programs, added 3 News articles to web site

County System/District honorable mentions

1. Member libraries will provide \$10,000 (pro-rated by 2016 Overdrive circulation per library) to enhance purchases Overdrive resources in 2017. The titles will be available to borrow countywide.
2. Migration to a new circulation system is moving forward for final installation January 17.
3. LSLC, is visiting Greenfield complex businesses with fundraising requests to benefit countywide services.

Mount Joy Borough

Zoning & Code Department

REPORT

To: Borough Council

From: Stacie Gibbs, Zoning/Code Officer

Date: December 2016

Re: December 2016 Zoning, Code and Planning Report

UPDATES

- While reviewing the plan deferral request from the Lancaster County Career & Technology Center (LCCTC) this year, the Planning Commission observed the lack of connection from the Rotary Park trail, and lack of a safe walkable area. The Planning Commission requested staff look into this. Staff has been communicating with the LCCTC, DC Gohn and the Public Works Committee about the school taking on the additional engineering costs to allow DC Gohn to show curb, sidewalk, ADA and continued path connection, and additional stormwater management.

I am happy to report that on Tuesday, December 13, 2016, the Joint Operating Committee with the LCCTC accepted a proposal from DC Gohn, to complete a survey and construction plan for a pedestrian crosswalk and pathway extending from PA Rte 772 to the path along the west side of Old Market Street that connects to Cove Outlook Park in Mount Joy Township.

This project has been discussed, and brought to the Public Works Committee's attention by Dennis. This will be a great tool to use to promote the need for walkability connections in the Borough, so more people can walk to a healthy lifestyle. The school can then utilize this as a marketing tool when they are ready to sell the homes.

- 29 New Haven Street- all windows that needed to be secured have been boarded up to protect property from the elements. All means of egress into the rear of the home have been secured. The property has been completed cleaned out, and no rubbish remains on the exterior. The property has been winterized. Communication continues with owner on renovation schedule for Spring 2017.

REPORT

- Met with realtor to discuss uses for 30 S. Jacob Street.
- Attended staff meetings.
- Attended Planning Commission meetings and drafted minutes from the meeting.
- Attended Borough Council meeting.
- Met with Brian Cooley, Dave and Dennis to discuss DC Gohn's scope of work for the Rotary Park trail connection project.
- Prepared Memorandum to Jill to release street opening escrow for an applicant.
- Met with Sam, John and Kim and potential interested party regarding the Old Shoe Factory. Nothing public has been received or made.
- Prepared 367 LERTA letters, copies of the Borough Ordinance, and Borough LERTA Application and mailed on December 29th. This is a great way to reach out to all property owners who have a property on the LERTA list. It is a great way to market the LERTA and start discussions for a means to stimulate new investment in properties.
- Updates to Planning, Zoning and Code pages on the website are completed for 2017.
- Reviewed proposed plan from UGI to install a new gas main in the vicinity of Martin Avenue and Farmview Lane. Reviewed Farmview Development site plan in relationship to this proposed project. Met with engineer from UGI on site, and with staff and the Authority to discuss project.

- Reviewed draft and final letters from Borough Solicitor to Attorney for UGI/PPL regarding legal agreements for the construction, and taking title of the proposed Old Standby Park.

MOUNT JOY BOROUGH-Violations: " 12/1/2016 - 12/31/2016

DECEMBER 2016 CODE REPORT

Property	
Closed	
	Total number of Closed Property Violations: 6
Open	
	Total number of Open Property Violations: 7
Zoning	
Closed	
	Total number of Closed Zoning Violations: 1

MOUNT JOY BOROUGH-MultiSelect Permits App Date: 12/1/2016 - 12/31/2016

DECEMBER 2016 PERMIT REPORT

PermitNo	App Date	Issue Date	Owner	Project Addr	Descript	Fee
Building						
Com-Addition						
Pending						
160897	12/14/2016		SM JOHNS & SON CONSTRUCTION LL	645 DONEGAL SPRINGS RD	Building Addition and parking	\$710.00
Total Com-Addition 1						\$710.00
Com-Alterations						
Active						
160898	12/19/2016	12/29/2016	SPACE LEASING INC	325 W MAIN ST	Interior renovations including electrical	\$410.00
160896	12/13/2016	12/21/2016	ROOTS BEER DISTRIBUTOR	537 W MAIN ST	Interior Alterations	\$110.00
Total Com-Alterations 2						\$520.00
Res-Alterations						
Active						
160894	12/13/2016	12/19/2016	GARZA JOSE M & OTILIA	441 MARTIN AVE	Electric to gas	\$124.00
Pending						
160901	12/22/2016		MESSIAH FAMILY SERVICES	673 IVY DRIVE	Add sunroom & patio	\$144.00
Total Res-Alterations 2						\$268.00
Res-Basement						
Active						
160900	12/21/2016	12/29/2016	HALL WYATT R HALL MARIA	103 TALBOT ST	Finish basement	\$60.00
Total Res-Basement 1						\$60.00
Total Building 6						\$1,558.00

ROW

Gas Main Extension

Active						
160903	12/23/2016	12/28/2016	MOUNT JOY BORO	FARMVIEW LANE	Gas Main Extension	
Total Gas Main Extension 1						\$0.00

Repair

Complete						
160899	12/20/2016	12/20/2016	BRUBAKER CLARENCE B & MILDRED S	19 POPLAR ST	Repair leak on gas main	
Total Repair 1						\$0.00

Temp. Obstruction

Active						
160892	12/9/2016	12/9/2016	RENT ONE LLC	15 MARIETTA AVE	Obstruct sidewalk for awning install	\$60.00
Total Temp. Obstruction 1						\$60.00
Total ROW 3						\$60.00

Use

Motor Vehicle Storage

Active						
160893	12/13/2016	12/13/2016	RENT ONE LLC	15 MARIETTA AVE	Black 2001 Ford Explorer	\$75.00
160890	12/5/2016	12/5/2016	OCAMPO ARMANDO P & CYNTHIA L	471 DONEGAL SPRINGS RD	Ford 2001 Cadillac Catera expired insp/ta	\$75.00
160888	12/2/2016	12/2/2016	ALLEN SAMUEL	117 N MARKET ST	2002 Saturn Vue/White	\$75.00
Total Motor Vehicle Storage 3						\$225.00
Total Use 3						\$225.00

Zoning

Fence

Active

PermitNo	App Date	Issue Date	Owner	Project Addr	Descript	Fee
Zoning						
Fence						
Active						
160891	12/9/2016	12/9/2016	RENT ONE LLC	15 MARIETTA AVE	Install fence and awning	\$80.00
Total Fence 1						\$80.00
Total Zoning 1						\$80.00
Total Permits: 13						\$1,923.00

BUILDING PERMITS ANALYSIS OF FEES RECEIVED

MONTH	2008	2009	2010	2011	2012	2013	2014	2015	2016
JANUARY	\$ 1,569.00	\$ 2,904.00	\$ 2,052.00	\$ 2,548.00	\$2,413.00	\$ 2,045.00	\$ 3,636.00	\$ 2,484.00	\$ 450.00
FEBRUARY	\$ 637.00	\$ 4,223.00	\$ 5,148.00	\$ 2,802.00	\$1,347.00	\$ 1,684.00	\$ 340.00	\$ 614.00	\$ 1,500.00
MARCH	\$ 527.00	\$ 3,753.00	\$ 10,284.00	\$ 2,687.00	\$1,670.00	\$ 3,174.00	\$ 3,658.00	\$ 3,508.00	\$ 1,268.00
APRIL	\$ 7,328.00	\$ 1,147.00	\$ 6,333.00	\$ 2,693.00	\$2,354.00	\$ 7,230.00	\$ 3,532.00	\$ 3,529.00	\$ 930.00
MAY	\$17,120.00	\$ 1,660.00	\$ 4,756.00	\$ 4,914.00	\$3,168.00	\$ 2,708.00	\$ 4,450.00	\$ 7,030.00	\$ 3,501.00
JUNE	\$ 3,557.00	\$ 1,103.00	\$ 5,138.00	\$ 5,026.00	\$4,741.00	\$ 6,226.00	\$ 1,920.00	\$ 4,166.00	\$ 4,185.00
JULY	\$ 1,230.00	\$ 2,269.00	\$ 2,994.00	\$ 1,012.00	\$3,175.00	\$ 4,097.00	\$ 3,230.00	\$ 3,178.00	\$ 9,363.00
AUGUST	\$ 1,051.00	\$ 6,205.00	\$15,984.00	\$ 7,084.00	\$1,844.00	\$ 4,007.00	\$ 780.00	\$ 2,048.00	\$ 3,633.00
SEPTEMBER	\$ 7,016.00	\$ 4,387.00	\$ 1,529.00	\$ 5,693.00	\$4,791.00	\$ 2,002.00	\$ 3,346.00	\$ 2,205.00	\$ 1,020.00
OCTOBER	\$ 1,208.00	\$ 4,198.00	\$ 1,133.00	\$ 1,724.00	\$ 789.00	\$ 3,216.00	\$ 1,724.00	\$ 2,694.00	\$ 4,255.00
NOVEMBER	\$ 608.00	\$ 1,066.00	\$ 6,356.00	\$ 1,646.00	\$1,678.00	\$ 2,248.00	\$ 9,024.00	\$ 3,002.00	\$ 1,120.00
DECEMBER	\$ 4,301.00	\$ 1,058.00	\$ 7,050.00	\$ 2,393.54	\$2,699.00	\$ 1,047.00	\$ 1,822.00	\$ 1,808.00	\$1,923.00
TOTALS	\$46,152.00	\$33,973.00	\$68,707.00 (budgeted \$30,000)	\$40,222.54 (budgeted \$47,000)	\$30,669.00 (budgeted \$40,000.00)	\$ 39,684.00 (Budgeted \$ 40,000)	\$ 37,462.00.00 (Budgeted \$ 50,000)	(\$ 36,266.00 Budgeted \$30,000)	(\$ 33,148.00 Budgeted \$30,000)

MOUNT JOY BOROUGH-StormWater Permits App Date: 12/1/2016 - 12/31/2016

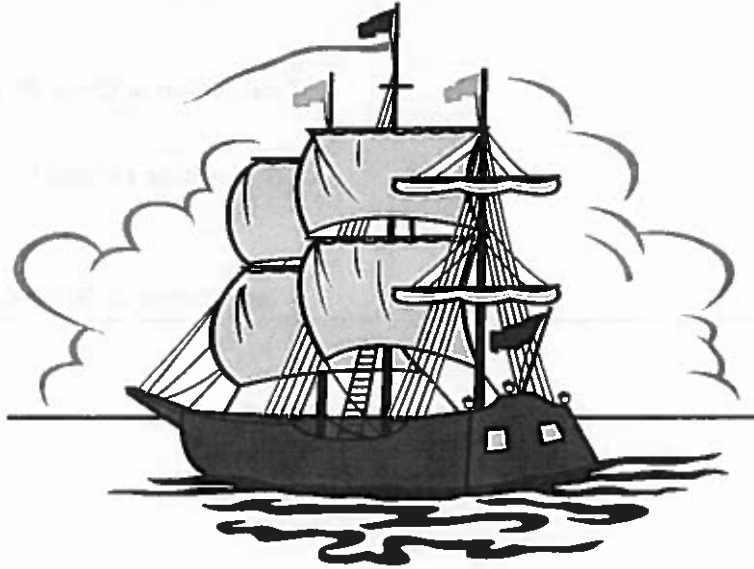
DECEMBER 2016 STORMWATER PERMIT REPORT

PermitNo	App Date	Issue Date	Owner	Project Addr	Descript	Fee
StormWater						
Exemption						
Active						
160889	12/2/2016	12/2/2016	CAO HUU N CAO HAI N	807 ELLA DR	Deck addition with roof	\$50.00
Pending						
160902	12/22/2016		MESSIAH FAMILY SERVICES	673 IVY DRIVE	Add sunroom & patio	\$50.00
Total Exemption 2						\$100.00
Total StormWater 2						\$100.00
Total Permits: 2						\$100.00

STORMWATER PERMITS COMPARISON SPREADSHEET

MONTH	2014	2015	2016
JANUARY	X	\$50.00	X
FEBRUARY	X	\$50.00	\$50.00
MARCH	X	\$250.00	\$300.00
APRIL	\$400.00	\$350.00	\$400.00
MAY	\$100.00	\$450.00	\$550.00
JUNE	\$300.00	\$650.00	\$550.00
JULY	\$100.00	\$400.00	\$375.00
AUGUST	\$50.00	\$350.00	\$325.00
SEPTEMBER	\$375.00	\$150.00	\$500.00
OCTOBER	\$275.00	\$100.00	\$675.00
NOVEMBER	\$100.00	\$100.00	\$250.00
DECEMBER	\$100.00	\$100.00	\$100.00
TOTALS	\$1,800.00	\$3,000.00 (Budget \$2,000)	(\$4,025.00 Budget \$2,500.00)

MOUNT JOY BOROUGH



2016 ZONING, CODE & PLANNING REPORTS

MOUNT JOY BOROUGH-Violations: " 1/1/2016 - 12/30/2016

2016 ANNUAL CODE REPORT

**Building
Closed**

Total number of Closed Building Violations: 2

**Fire
Closed**

Total number of Closed Fire Violations: 2

**Property
Closed**

Total number of Closed Property Violations: 392

Open

Total number of Open Property Violations: 13

**Zoning
Closed**

Total number of Closed Zoning Violations: 20

429

MOUNT JOY BOROUGH-MultiSelect Permits App Date: 1/1/2016 - 12/31/2016**2016 ANNUAL PERMIT REPORT****Permit Type****Building**

	Total by SubType: and Use:	1
Com-Alterations		
	Total by SubType: Com-Alterations and Use:	14
Com-parking-ADA		
	Total by SubType: Com-parking-ADA and Use:	2
Com-Roof		
	Total by SubType: Com-Roof and Use:	2
Com-Storage		
	Total by SubType: Com-Storage and Use:	1
Com-Use		
	Total by SubType: Com-Use and Use:	1
Res-Accessory		
	Total by SubType: Res-Accessory and Use:	1
Res-Addition		
	Total by SubType: Res-Addition and Use:	2
Res-Alterations		
	Total by SubType: Res-Alterations and Use:	34
Res-Basement		
	Total by SubType: Res-Basement and Use:	6
Res-Deck		
	Total by SubType: Res-Deck and Use:	7
Res-Garage		
	Total by SubType: Res-Garage and Use:	1
Res-Porch		
	Total by SubType: Res-Porch and Use:	1
Res-Repair		
	Total by SubType: Res-Repair and Use:	1
Res-Roof		
	Total by SubType: Res-Roof and Use:	2
semi-detached		
	Total by SubType: semi-detached and Use:	2
SFD		
	Total by SubType: SFD and Use:	7
Sign		
	Total by SubType: Sign and Use:	1
Townhouse		
	Total by SubType: Townhouse and Use:	22
Twin Dwelling		
	Total by SubType: Twin Dwelling and Use:	2

Permit Type	
Building	
Use	
	Total by SubType: Use and Use: 1
	Total by Use: 111
270-63D(1 Unit For Care Of Relative Res-Alterations	
	Total by SubType: Res-Alterations and Use: 270-63D(13) 1
	Total by Use: 270-63D(13) 1
B Business	
Com-Addition	
	Total by SubType: Com-Addition and Use: B 1
	Total by Use: B 1
	Total Building 113
Demo	
Access. Struct demo	
	Total by SubType: Access. Struct demo and Use: 2
Com-Demo	
	Total by SubType: Com-Demo and Use: 1
Res-Demo	
	Total by SubType: Res-Demo and Use: 2
	Total by Use: 5
	Total Demo 5
Electrical	
Comm - Alt	
	Total by SubType: Comm - Alt and Use: 1
Comm - electric	
	Total by SubType: Comm - electric and Use: 2
Hot tub	
	Total by SubType: Hot tub and Use: 1
Res-Electric	
	Total by SubType: Res-Electric and Use: 4
	Total by Use: 8
	Total Electrical 8
Mechanical	
	Total by SubType: and Use: 1
Comm Alt	
	Total by SubType: Comm Alt and Use: 2
Res Alt.	
	Total by SubType: Res Alt. and Use: 4
	Total by Use: 7
	Total Mechanical 7

Permit Type	
Plumbing	
Res-Plumbing	
	Total by SubType: Res-Plumbing and Use: 1
	Total by Use: 1
	Total Plumbing 1
ROW	
Abandon Gas main	
	Total by SubType: Abandon Gas main and Use: 1
Cap Sewer Line	
	Total by SubType: Cap Sewer Line and Use: 3
Disconnect gas main	
	Total by SubType: Disconnect gas main and Use: 1
Gas Main Extension	
	Total by SubType: Gas Main Extension and Use: 1
Insert Gas Main	
	Total by SubType: Insert Gas Main and Use: 1
new service	
	Total by SubType: new service and Use: 3
Renew gas service	
	Total by SubType: Renew gas service and Use: 2
Repair	
	Total by SubType: Repair and Use: 5
Replace gas main	
	Total by SubType: Replace gas main and Use: 2
Temp. Obstruction	
	Total by SubType: Temp. Obstruction and Use: 6
Vapor Well	
	Total by SubType: Vapor Well and Use: 1
Water and Sewer Lateral	
	Total by SubType: Water and Sewer Lateral and Use: 1
Well	
	Total by SubType: Well and Use: 1
	Total by Use: 28
	Total ROW 28
Sign	
Projecting sign	
	Total by SubType: Projecting sign and Use: 3
wall sign	
	Total by SubType: wall sign and Use: 5
window sign	
	Total by SubType: window sign and Use: 1
	Total by Use: 9

Permit Type	
Sign	
	Total Sign 9
StormWater	
Exemption	
	Total by SubType: Exemption and Use: 57
Small Project	
	Total by SubType: Small Project and Use: 8
	Total by Use: 65
	Total StormWater 65
StreetSW	
Cable	
	Total by SubType: Cable and Use: 1
curb and sidewalk	
	Total by SubType: curb and sidewalk and Use: 2
Repair	
	Total by SubType: Repair and Use: 3
Repairs	
	Total by SubType: Repairs and Use: 1
Sidewalk	
	Total by SubType: Sidewalk and Use: 3
sidewalk and curb repair	
	Total by SubType: sidewalk and curb repair and Use: 1
Temp. Obstruction	
	Total by SubType: Temp. Obstruction and Use: 1
	Total by Use: 12
	Total StreetSW 12
Use	
Motor Vehicle Storage	
	Total by SubType: Motor Vehicle Storage and Use: 8
Use	
	Total by SubType: Use and Use: 1
	Total by Use: 9
	Total Use 9
Zoning	
	Total by SubType: and Use: 2
Com-Alterations	
	Total by SubType: Com-Alterations and Use: 1
Com-Repair	
	Total by SubType: Com-Repair and Use: 1

Permit Type	
Zoning	
Deck	Total by SubType: Deck and Use: 6
Demolition	Total by SubType: Demolition and Use: 2
Driveway	Total by SubType: Driveway and Use: 6
Fence	Total by SubType: Fence and Use: 24
greenhouse	Total by SubType: greenhouse and Use: 1
hot tub	Total by SubType: hot tub and Use: 1
Patio	Total by SubType: Patio and Use: 8
pavers	Total by SubType: pavers and Use: 1
Pool	Total by SubType: Pool and Use: 3
Res- sidewalk	Total by SubType: Res- sidewalk and Use: 1
Res-Alterations	Total by SubType: Res-Alterations and Use: 2
Res-Garage	Total by SubType: Res-Garage and Use: 4
Shed	Total by SubType: Shed and Use: 16
Shed & Fence	Total by SubType: Shed & Fence and Use: 1
Shed and Fence	Total by SubType: Shed and Fence and Use: 1
Sign	Total by SubType: Sign and Use: 4
Special Event	Total by SubType: Special Event and Use: 1
Tent	Total by SubType: Tent and Use: 2
Use	Total by SubType: Use and Use: 1 Total by Use: 89
270-63.D(General Home Occupation General Home Occu	Total by SubType: General Home Occu and Use: 270-63.D(7) 1 Total by Use: 270-63.D(7) 1
270-63-7(Light Home Occupation	

Permit Type

Zoning

Light Home Occupation

Total by SubType: Light Home Occupation and Use: 270-63-7(b) 1

Total by Use: 270-63-7(b) 1

Total Zoning 91

Total Permits: 348

2016 MOUNT JOY BOROUGH



ANNUAL ZONING REPORT

2016 MOUNT JOY BOROUGH ZONING HEARING BOARD MEMBERS:

Cindi Jerman – Chair

Bob Marker, Vice Chair



Ned Sterling, Secretary

George Leyh

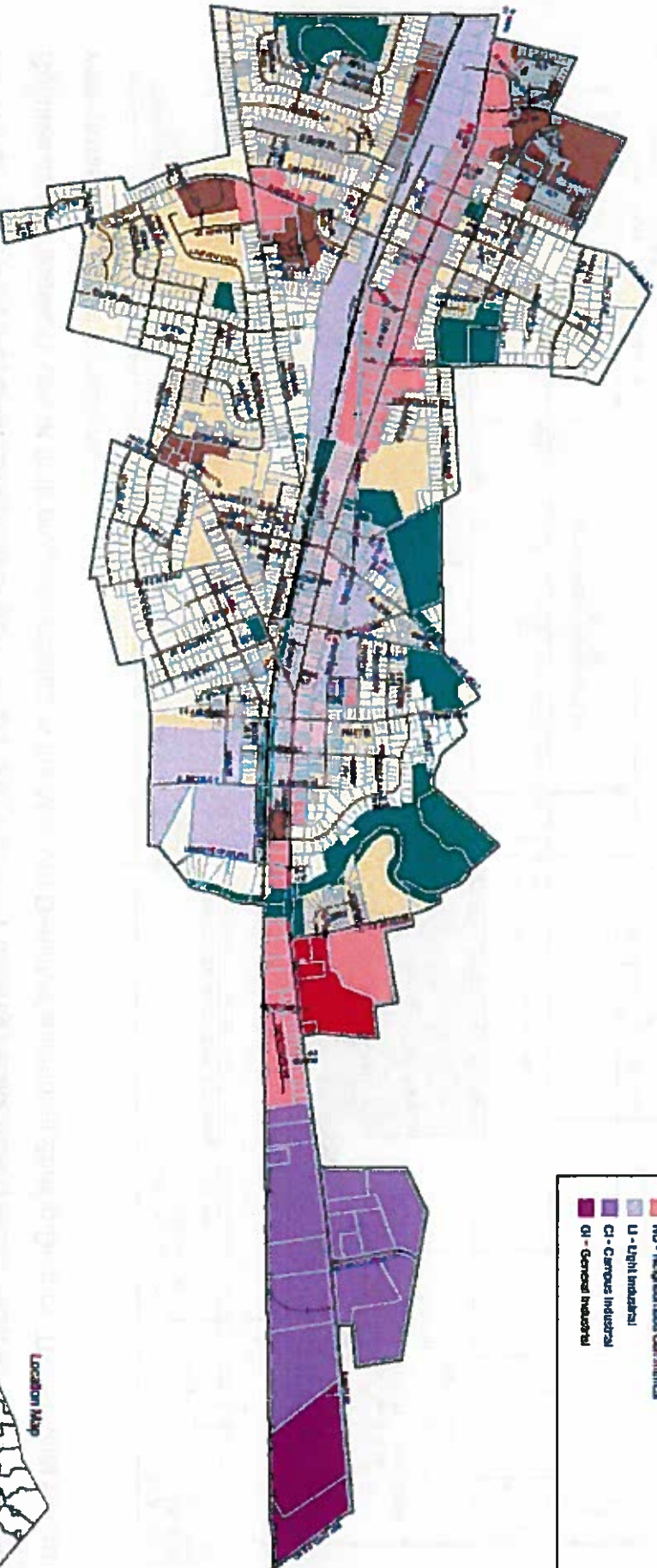
Shelby Chunko

Michael Melhorn, Alternate

Joe Kenneff, Esquire – Zoning Hearing Board Solicitor

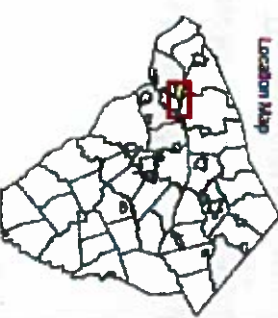
Michelle Parke, Court Reporter

Zoning Map of Mount Joy Borough



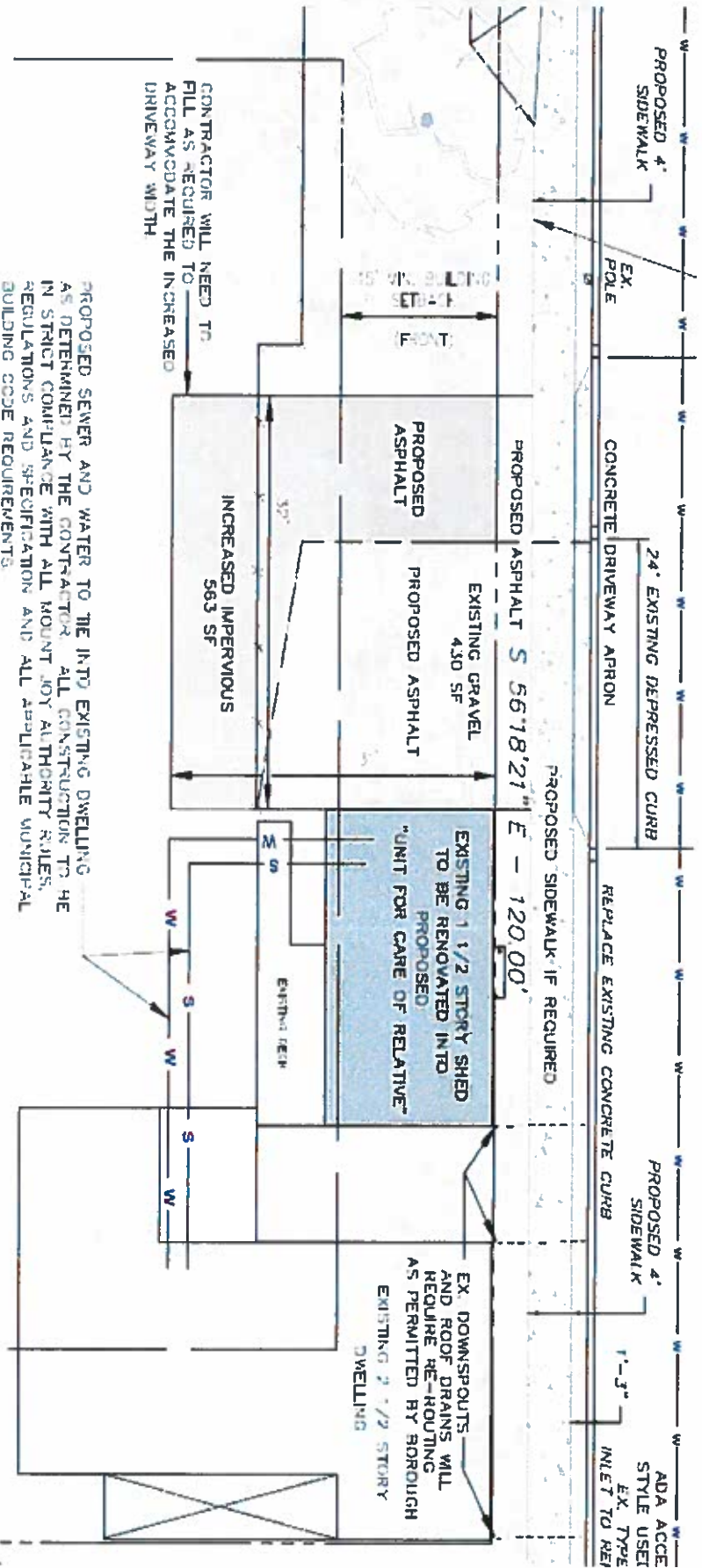
- Zoning Districts**
- C - Conservation
 - LDR - Low Density Residential
 - MDR - Medium Density Residential
 - MDHR - Medium High Density Residential
 - COB - Commercial Business
 - GO - General Commercial
 - NC - Neighborhood Commercial
 - U - Light Industrial
 - CI - Campus Industrial
 - GI - General Industrial
- Water Features**
- Parcels
 - Roads
 - Railroads

Mount Joy Borough Council and Planning Board
 The map is a representation of the zoning districts as they exist on the date of the map's preparation. It is not intended to be a legal document. For more information, please contact the Planning Board or the Borough Office.



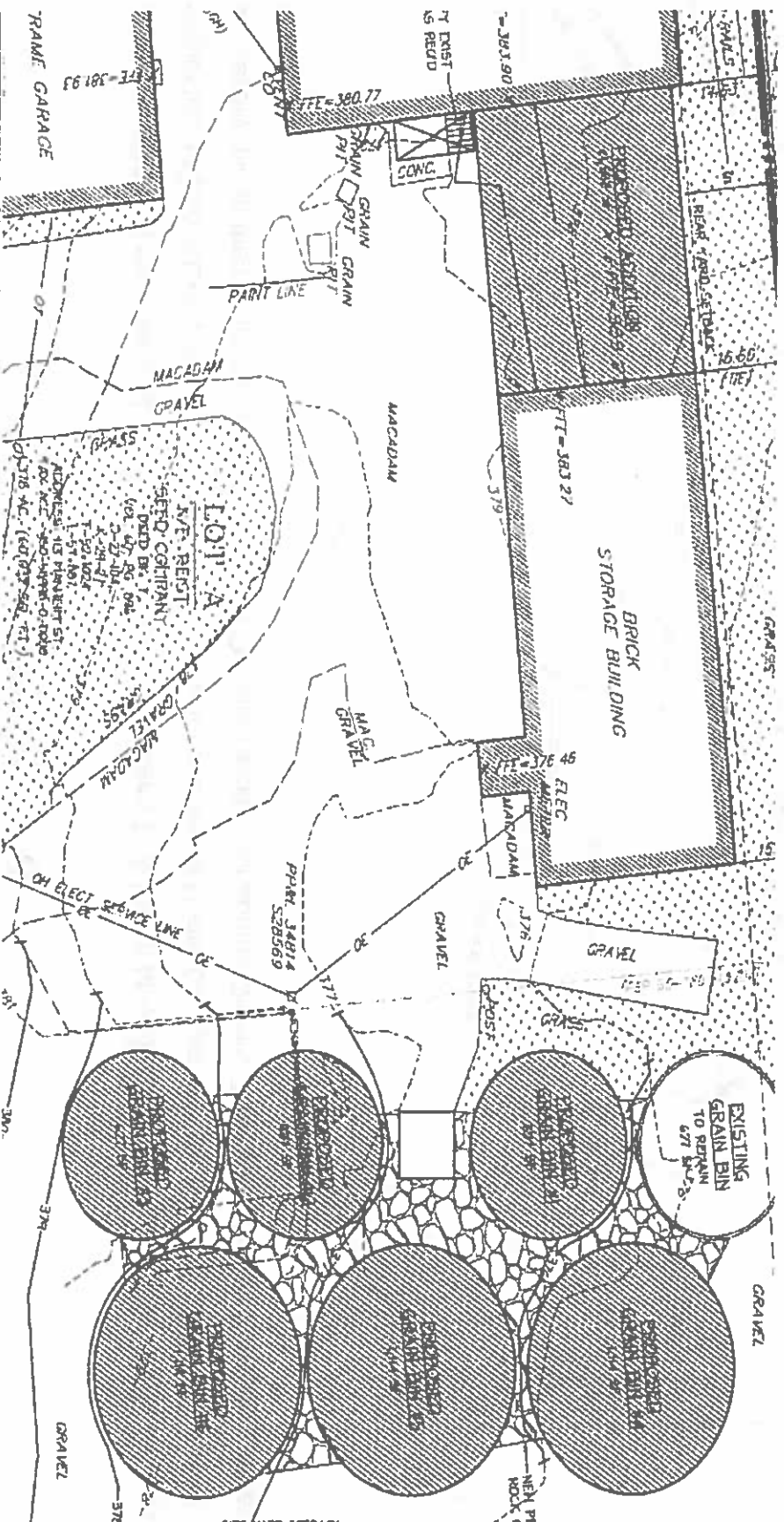
APRIL 2016

- An application was received and a case was presented by Scott Sullivan & Angie Jordan-Sullivan, 303 S. Market Ave., Mount Joy, PA 17552, requesting a Special Exception of §270-47.B.(1)(a) Table of Primarily Residential Uses to allow for a Unit For Care of Relative as an accessory use at their property located in the Medium Density Residential Zoning District. The Special Exception was granted subject to conditions.



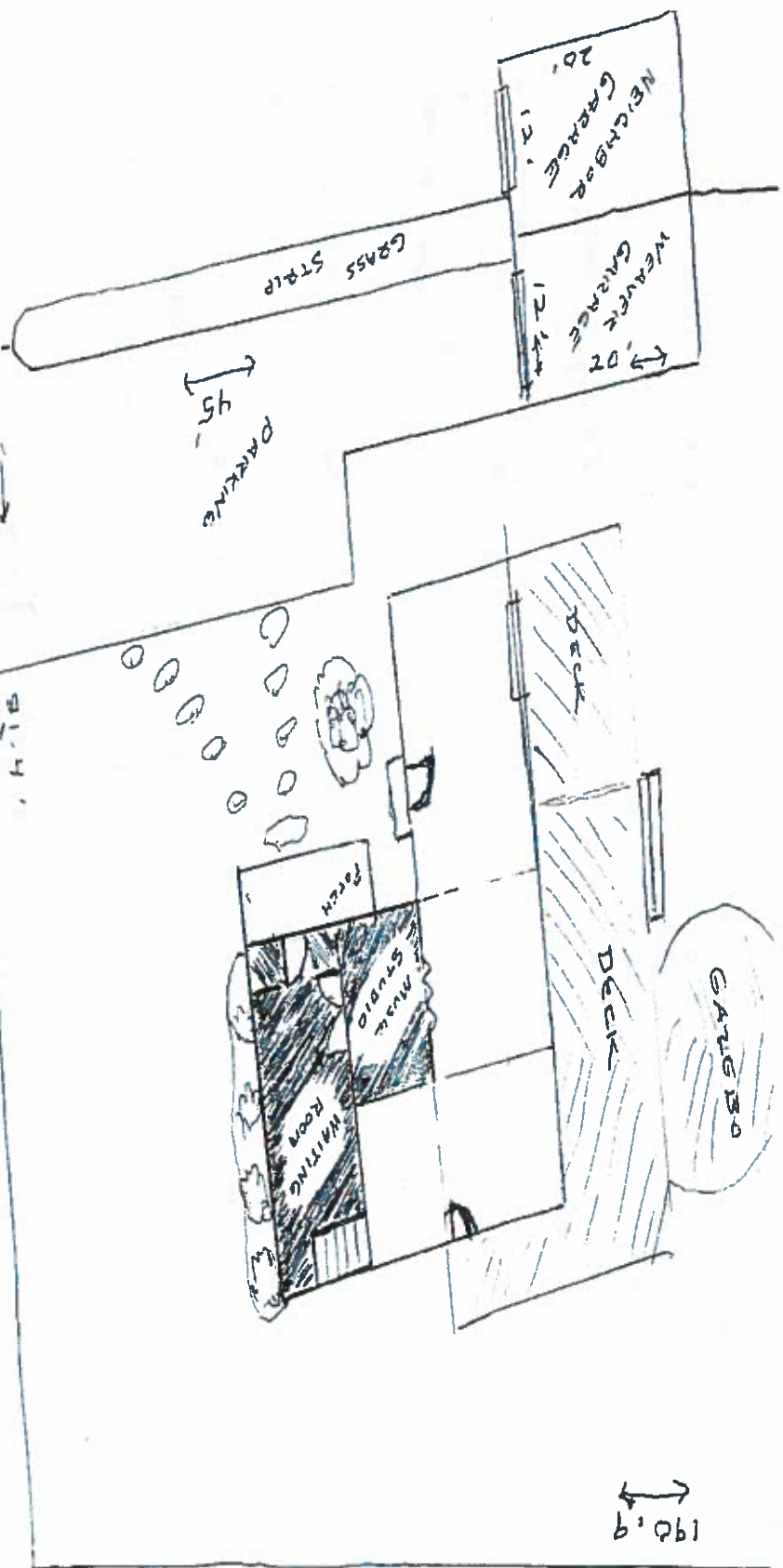
APRIL 2016 (CONTINUED)

- An application was received and a case was presented by H & R Transload, C/O Reist Popcorn Co., 113 Manheim St., Mount Joy, PA 17552, requesting a Variance of §270-48A to allow for three (3) grains bins to encroach four (4) feet into the front yard setback, and a Variance of §270-48A to allow for one (1) grain bin to encroach eleven (11) feet into the front yard setback on a property located at 900 Square St., Mount Joy, PA 17552. This property is located in the Light Industrial Zoning District. The variances were granted subject to conditions.



JUNE 2016

- An application was received and a case was presented by Glenn E. & Sylvia M. Weaver, 212 Fairview St., Mount Joy, PA, requested a Special Exception of §270-63.D.(7) to allow for a General Home Occupation to conduct music lessons as an accessory use at their property located in the Low Density Residential Zoning District. The Special Exception was granted with conditions.





2016 MOUNT JOY BOROUGH



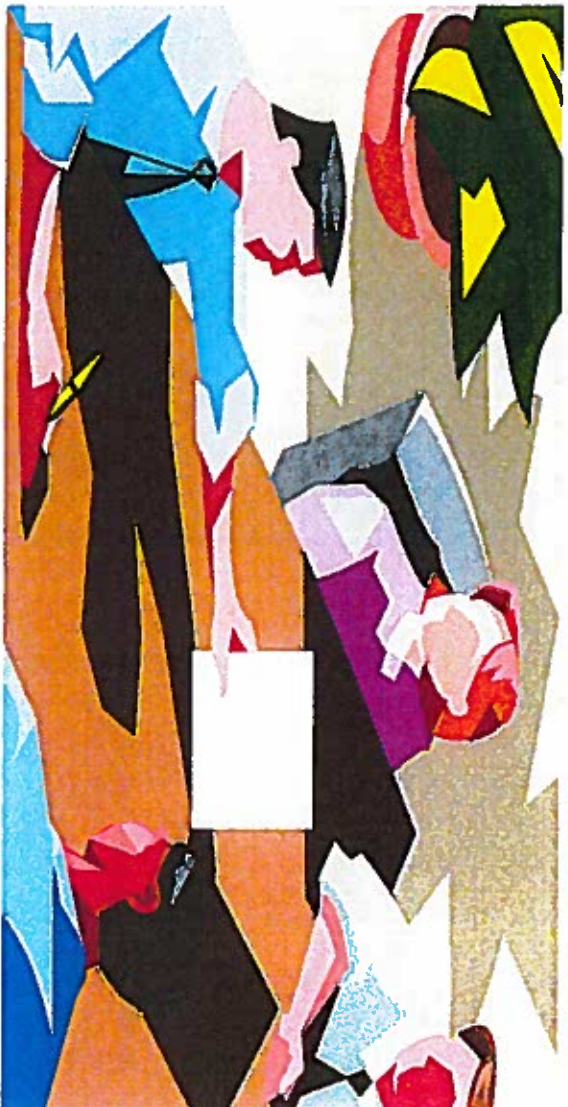
ANNUAL PLANNING REPORT

2016 MOUNT JOY BOROUGH PLANNING COMMISSION MEMBERS:

Wendy Melhorn – Chair

Wendy Sweigart – Vice Chair

Kyle Miller



John Rebman

Josh Deering

Steve Gault, Alternate

JANUARY 2016

- The Commission reviewed the existing Official Map for possible revisions.
- The Commission recommended Chapter 270 Zoning be deleted in its entirety and insert the new Chapter 270, Zoning as presented.

BOROUGH OF MOUNT JOY LANCASTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 1-16

THE MOUNT JOY BOROUGH ZONING ORDINANCE, TO REGULATE THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR AGRICULTURAL, RESIDENTIAL, INDUSTRIAL AND COMMERCIAL PURPOSES, REGULATING THE BUILD AND SIZE OF BUILDINGS, STRUCTURES, AND USES, ESTABLISHING ZONING DISTRICTS AND REGULATIONS FOR USES WITHIN EACH SUCH DISTRICT, DEFINING TERMS, ESTABLISHING PERFORMANCE STANDARDS AND REGULATIONS PROVIDING FOR THE ADMINISTRATION OF THE ZONING ORDINANCE, PROVIDING FOR THE ESTABLISHMENT OF A ZONING HEARING BOARD AND THE POWERS AND DUTIES OF SUCH BODY, AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS THEREOF.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, as follows:

Section 1. The Code of Ordinances of the Borough of Mount Joy, Chapter 270, Zoning, shall be deleted in its entirety and a new Chapter 270, Zoning, shall be inserted which shall provide as follows:

FEBRUARY 2016

- No Meeting.

MARCH 2016

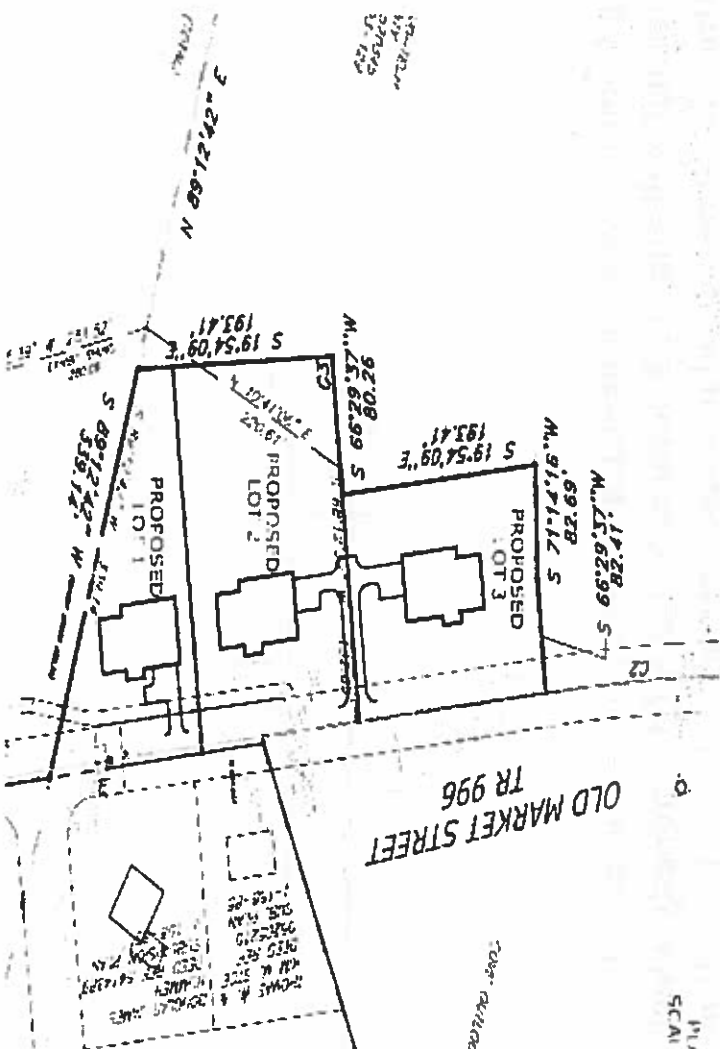
- No Meeting.

APRIL 2016

- The Planning Commission recommended support of a no cost Walk Audit for Mount Joy Borough to be conducted by Lighten Up Lancaster, led by Lancaster Civil Engineering.



MAY 2016



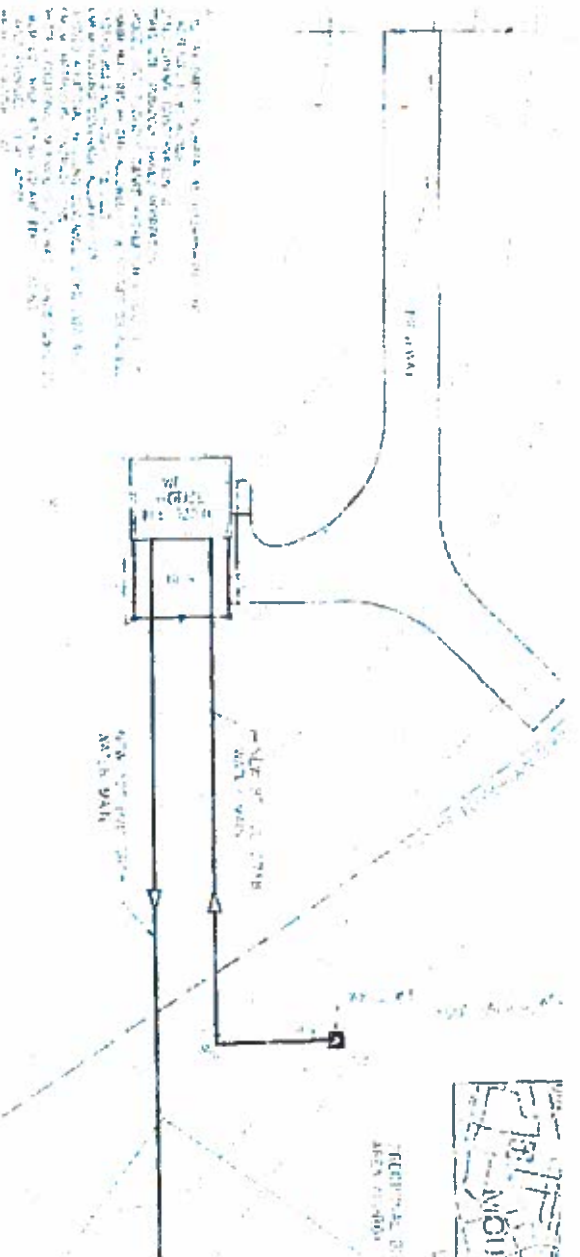
- The Planning Commission recommended approval for a deferral of a Subdivision plan for the Lancaster County Career and Technology Center (LCCTC) to subdivide 3 lots in Mount Joy Township along Old Market Street. Although the 3 lots are in the Township, the land they are proposing to subdivide was part of the proposed leased area by the Borough for future Rotary Park parking.

JUNE 2016

- No Meeting.

JULY 2016

- The Planning Commission recommended approval for a Land Development Plan Deferral to East Donegal Township for the Mount Joy Borough Authority (MJBA) to construct a new water treatment plant (WTP) and well no 3. The treatment plant is in East Donegal Township. The WTP is proposed to be at the existing WTP location and existing compost facility. The existing access drive (S. Jacob St) will be improved to allow for two lane of traffic and accommodate larger vehicles.



- The Planning Commission recommended approval for a Waiver of Land Development for the MJBA to construct well number 3, located on the MJBA property which was previously subdivided from the Borough and purchased by the MJBA. The well site proposes a 320 s.f. well house building for the enclosure of the pumps and equipment.

AUGUST 2016

- No Meeting.

SEPTEMBER 2016



- The Planning Commission recommended approval of a Land Development and Stormwater Plan for SM Johns & Son Construction, LLC located at 645 Donegal Springs Road, Mount Joy, PA, to construct a 4,500 s.f. building to service their construction vehicles as well as provide

accessory auto repairs for customers. The project will also consist of construction of parking areas, stone and storage areas, stormwater management facilities and other associated utilities.

OCTOBER 2016

- No Meeting.

NOVEMBER 2016

- The Planning Commission recommended staff and the Borough Solicitor draft amendments to certain sections of the Zoning Ordinance for accessory free libraries, and draft amendments to certain sections to rezone the Cross Roads Church at 800 Donegal Springs Road from Low Density Residential to Neighborhood Commercial.



DECEMBER 2016

- The Planning Commission recommended staff and the Borough Solicitor draft amendments to certain sections of the Zoning Ordinance to regulate wireless facilities in street rights-of-ways.





BOROUGH OF MOUNT JOY STORMWATER MANAGEMENT REPORT

TO: Mount Joy Borough Council

FROM: Dave Salley, Stormwater Enforcement Officer

DATE: January 9, 2016

RE: Stormwater Management Report for December, 2016

Stormwater Management:

- ✓ ARRO Engineering provided Mount Joy Borough with a map book which consisted of all the stormwater features throughout the borough. Also acknowledged on this map book is the delineated drainage sheds. This helps us determine all of our outfalls which are required by DEP. My job was to go through these maps and make any edits, comments, and changes to what is actually out in the field. I presented these edits to ARRO Engineering who is currently adding these changes to our GIS mapping. I also provided ARRO with any final design plans that the Borough has. This gives ARRO more accurate details about each of these BMP's (detention basins, infiltration trenches, pervious surface, etc.), and how much credit we can receive for these BMP's

Activities:

- ✓ Attended Local Technical Assistance Program (LTAP) involving Salt & Snow Management
- ✓ Attended a week long PA Construction Codes Academy for Building Code Official Certification.

To: Mayor Bradley, Mount Joy Borough Councilors & Samuel Sulkosky, Borough Manager

From: John Leaman

December 2016 Authority Administrator Report

1. All the required documents for the Pump Station #2 Project have been received and the project has been completely closed out.
2. The Authority was made aware the announcement for the selected applicants for the PA Small Water and Sewer Grant Program was moved from December to March due to the large amount of applications received for grant funding.
3. The Authority is expecting to complete the water system improvement project in the vicinity of the Mount Joy Sportsmen's Association by the middle of January. The new fire hydrant has been installed and is in operation.
4. New Water Plant: ARRO Consulting has finalized design specifications and has provided Authority staff with design documents for one final review and comment.



**BOROUGH OF MOUNT JOY
MEMORANDUM**

TO: Council

FROM Samuel Sulkosky, Borough Manager

DATE: January 04, 2016

RE: December 2016, Manager's Report

Administration:

- HSA accounts have been established and pre-funded with Union Community Bank for HSA employee accounts.
- Resolution 1-17 appointing a CAO for the police and non-uniformed pension plans.
- Resolution No. 31-16 was revised in the Administration and Finance Committee meeting on 12/28/2016. It is now Resolution 2-17. Staff firmly believes the appeals process needs to implement a means to create a written record in case an appeal to the Court of Common Pleas would occur.
- 2017 meeting dates calendar was advertised in LNP on 12/26/2016.

Rail Enhancements Project:

- PennDOT Maintenance Agreement revisions have not been received as of 1/4/2017.
- PennDOT has not provided the Borough with a temporary snow removal agreement for the former Church of God parking lot although no Agreement is in place. PennDOT has notified the Borough that Amtrak will be responsible for snow removal of the parking lot. A notice has been placed on the Borough's website with this information.
- Pre-Construction meeting was held on January 6, 2017 and was attended by Dennis Nissley and Stacie Gibbs.

Public Works:

- All documentation for the Jonas Disaster snow emergency reimbursement has been completed and duly submitted to PEMA.

Public Safety:

- Met with Steve Gault and Signalization Contractor on January 5, 2017.

Correspondence:

Senator Aument's letter concerning municipal official's breakfast for January 13, 2017 at the LCTC, Mount Joy Campus (emailed on January 4, 2017).

District Attorney Stedman's Sunshine Law Letter (emailed to Council on 12/20/2016). Hard copies available upon request.

Understanding HB 1683 (Act 172 of 2016) – (emailed 1-4-2017)

Mount Joy Borough Authority Notice of Application – Well 3 (emailed 1/4/2017)

Additional:

- Attended EDC of Lancaster County Route 283/230 Corridor meeting.
- Discussion Borough records at Historical Society.
- Processed insurance claims for Kunkle Park and Police Unit 4.

Right to Know Law:

- Since beginning my duties on October 31, 2016, I have processed 17 RTKL requests. Five requests were from five individuals. Twelve (12) requests were from two individuals.

**BOROUGH OF MOUNT JOY
LANCASTER COUNTY, PENNSYLVANIA**

RESOLUTION NO.: 01-17

**A RESOLUTION APPOINTING THE CHIEF ADMINISTRATIVE
OFFICER OF THE NON-UNIFORMED AND POLICE PENSION PLANS OF
THE BOROUGH OF MOUNT JOY, LANCASTER COUNTY**

We appoint "Borough Manager, Samuel Sulkosky", as the Chief Administrative Officer for the Borough of Mount Joy Non-Uniformed and Police Pension Plans.

ENACTED AND RESOLVED THIS 9 DAY OF January, 2017.

BOROUGH COUNCIL
BOROUGH OF MOUNT JOY

CERTIFIED TO BE A TRUE COPY OF THE BOROUGH OF MOUNT JOY
RESOLUTION 01-17 APPOINTING A CHIEF ADMINISTRATIVE
OFFICER FOR THE NON-UNIFORMED AND POLICE PENSION PLANS.
THIS RESOLUTION ADOPTED BY THE BOROUGH COUNCIL ON
January 9, 2017.

Borough Secretary

Council President

BOROUGH OF MOUNT JOY

Lancaster County, Pennsylvania

RESOLUTION NO. 02-17

A RESOLUTION OF BOROUGH COUNCIL OF THE BOROUGH OF MOUNT JOY, LANCASTER COUNTY, PENNSYLVANIA, REESTABLISHING AND AMENDING FEES TO BE CHARGED IN CONNECTION WITH THE ADMINISTRATION OF THE STORM WATER MANAGEMENT ORDINANCE, THE MOUNT JOY BOROUGH PROPERTY MAINTENANCE CODE AND FOR THE FILING OF OTHER APPLICATIONS, PERMITS, LICENSES, COPYING AND OTHER ADMINISTRATIVE FEES.

WHEREAS, the Borough incurs costs in the administration of its Property Maintenance Ordinance, Storm Water Management Ordinance, and Street and Sidewalk Ordinance; and

WHEREAS, Borough Council believes that it is desirable to establish fees in order to recover the costs incurred by the Borough in the processing of applications, conduct of hearings, and administration of construction and developments, and Council desires to establish such fees and costs.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, as follows:

Section 1. Fees related to Permits under the Mount Joy Borough Property Maintenance Code.

The following fees shall be paid by all applicants for the following types of permits or requests related to the administration of the Property Maintenance Code:

Motor Vehicle Storage Permit Application Fee- \$80.00

Apartment License Late Fee- \$25.00

Section 2. Appeal Fees From Decisions of the Code Official under the Property Maintenance Code, or From Any Disruptive Conduct Report.

Each appeal to Borough Council from a decision of the Code Official in the administration of the Property Maintenance Code or from the issuance of a Disruptive Conduct Report issued by a police officer under Chapter 9 of the Property Maintenance Code shall have a stenographic record of the proceedings kept and be accompanied by a fee in the amount of **\$200.00**.

The cost of an original transcript shall be paid by the Borough if the transcript is ordered by the Borough or shall be paid by the person or entity appealing the decision of the Borough if such appeal is made, and in either event the cost of additional copies shall be paid by the person or entity requesting such copy or copies. In all other cases, the party requesting an original transcript shall bear the cost thereof.

Section 3. Appeal Under The Stormwater Management Ordinance.

Each appeal to Borough Council from any determination, decision, or action of the enforcement officer or Borough Engineer in the administration and enforcement of the Storm Water Management Ordinance shall have a stenographic record of the proceeding kept and be accompanied by a fee of **\$200.00**.

The cost of an original transcript shall be paid by the Borough if the transcript is ordered by the Borough or shall be paid by the person or entity appealing the decision of the Borough if such appeal is made, and in either event the cost of additional copies shall be paid by the person or entity requesting such copy or copies. In all other cases, the party requesting an original transcript shall bear the cost thereof.

Section 4. Appeals Under Local Agency Law.

Every request for a hearing under the Local Agency Law, 2 Pa.C.S. §551 et seq., for which the Borough has not established a specific fee by other resolution or ordinance, shall be accompanied by a fee in the amount of **\$300.00**. A stenographic record of the proceedings shall be kept. The appearance fee for a stenographer shall be borne or reimbursed to the Borough entirely by the person or entity requiring a hearing. The Borough's invoice for the appearance fee of the stenographer shall be payable within thirty (30) days. The cost of the original transcript shall be paid by the Borough if the transcript is ordered by the Borough or shall be paid by the person or entity appealing from the decision of the Borough if such appeal is made, and in either event the cost of additional copies shall be paid by the person or entity requesting such copy or copies. In all other cases, the party requesting the original transcript shall bear the cost thereof.

Section 5. Fee Payable at Time of Application or Appeal. No application, appeal, request for hearing, or other matter shall be considered complete unless the required fee is included and, where applicable, the required escrow is posted. The filing

of the application, appeal, request for hearing or other matter shall be considered an implied agreement to pay all fees imposed by this Resolution.

Section 6. Miscellaneous Fees.

Copy of Zoning Ordinance w/ Map -	\$40.00
Copy of Zoning Ordinance -	\$30.00
Copy of Zoning Map Black & White –	\$15.00
Copy of Zoning Map Color –	\$25.00
Copy of Subdivision & Land Development Ordinance -	\$25.00
Copy of Storm Water Management Ordinance -	\$25.00
Copy of Mount Joy Borough Code -	\$110.00
Copy of Mount Joy Borough Budget -	\$20.00
Copies (no color copies will be provided)	\$.30 per side

Section 7. Other Permits, Licenses, and/or Administrative Fees.

Temporary Street or Sidewalk Obstruction Permit -	\$70.00
Memorial Park Refundable Wedding Deposit -	\$100.00
Refundable Key Deposit (ie., parks sheds, gazebo) -	\$10.00
Refuse/Recycling Final-	\$10.00
Return Deposit Item and NSF -	\$30.00

Section 8. Return of Fees.

No part of any fee established by this Resolution or any prior resolution establishing fees is refundable

Section 9. Specific Repeals. The following fees which were previously established are hereby repealed:

Tax Certification-	\$15.00
Duplicate Tax Bill-	\$10.00
Recycling Bins-	\$ 8.95

Section 10. Repeals and Reaffirmation of Other Fees.

All provisions of Borough resolutions establishing fees for the items set forth in this Resolution are hereby repealed to the extent that they are inconsistent with the fees established by this Resolution. All Borough Resolutions imposing fees for items which are not addressed in this Resolution shall continue in full force and effect.

Section 11. Reservation of Rights.

Borough Council reserves the right to revise the fees in this Resolution at any time by resolution.

Section 12. Severability.

In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Resolution, it being the intent of Borough Council that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 13. Effective Date.

This Resolution shall take effect and be in force on January 1, 2017.

DULY ADOPTED this 9th day of January, 2017, by Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF MOUNT JOY
Lancaster County, Pennsylvania

Attest: _____
(Assistant) Secretary

By: _____
(Vice) President Borough Council

[BOROUGH SEAL]

Mount Joy Borough

Memo

To: Borough Council
From: Stacie Gibbs, Zoning & Code Officer
cc: Sam Sulkosky, Borough Manager
Date: December 30, 2016
Re: Accessory Free Library

The Lancaster County Zoning and Building Code Official's Association members received an email from the Lancaster Newspaper regarding enforcement of an accessory free library by municipalities on October 31, 2016. Accessory free libraries would currently be enforced under the Zoning Ordinance related to accessory structures. Accessory structures are not permitted in front yards. Therefore, if someone were to construct a accessory free library, they would most likely be enforced to remove it, and have the option to request a Variance from the Zoning Hearing Board.

I conducted some research on accessory free libraries and have provided some documentation. I also consulted with the Borough Solicitor on this subject and provided a copy of her letter.

A few months ago, Councilman Deering also inquired about a accessory free library as he knew a Cub Scout that was thinking of putting one in the Borough. As the Zoning Officer, it is my duty to provide information to Council regarding items that may become difficult to enforce, or may be items that should have their own regulations in the Zoning Ordinance as some currently have.

Accessory free libraries encourage literacy and have been known to open lines of communication with neighbors, and bring the community even closer together. However, it is also my opinion that Council should be sure that little free libraries are not constructed in a manner to cause a nuisance, or potentially create a safety hazard. In my opinion, taking a proactive approach on this item would be in Council's best interest. The Planning Commission and the Zoning Officer are both in support of little free libraries, but recommend certain regulations/requirements be put in place.

Therefore, the Planning Commission discussed this topic and reviewed information at their November 9, 2016 meeting and recommended Council authorize staff and the Borough Solicitor to draft an amendment to certain sections of the Zoning Ordinance for accessory free libraries. This recommendation is not a request to advertise or adopt any amendments, but to facilitate the start of a draft that Council can review and possibly take action on if they so desire.

LITTLE FREE LIBRARY

What is a Little Free Library? A Little Free Library is, "take a book, return a book" free book exchange. They come in many shapes and sizes, but the most common version is a small wooden box of books. Anyone may take a book or bring a book to share. The term, "Little Free Library" is a trademark and is also the name of a non-profit corporation. How could/would a little free library be regulated in the Borough?

The Zoning Ordinance, Section 270-32 defines an accessory use as one "customarily incidental and subordinate to the principal use or building, and located on the same lot with such principal use." An accessory structure serves "a purpose customarily incidental to and subordinate to the use of the principal use and located on the same lot as the principal use."

Based on the definitions above, little free libraries can be considered an accessory use and an accessory structure to commercial and/or a residential use. If we would consider a little free library to be an accessory use, then the regulations which are in the Zoning Ordinance can apply.

Basically, if a little free library is constructed and installed to a post or a shed or cabinet it is a structure. The Zoning Ordinances requires a 5' minimum rear and side-yard setback for accessory structures in all zoning districts. Accessory structures are not permitted in front yards.

However, certain types of fences are permitted in a front yard, if they meeting the zoning requirements. Therefore, if a property owner chooses to erect a little free library now, in order to comply with the Zoning Ordinance, the little free library should not be a separate or permanent structure. For example, the box can be placed on a wagon or and existing, permitted fence or wall. Or, the Borough can choose to amend the Zoning Ordinance to allow a little free library as an accessory structure in the front yard, with regulations/restrictions on certain things such as size, placement, etc.

The Borough Solicitor suggested that the Borough should define a term, use that term, and place size limits on the structure. We could use the term, "accessory free library," and define it as follows: "A container of books, posted in an accessible spot, often in a residential yard near a sidewalk from which persons may take books or to which persons may donate books." We

could then add another Section 270-63.D(16) which would contain policies on the accessory free library.

Little Free Libraries have a unique, personal touch. There is an understanding that real people are sharing their favorite books with their community.

As of June 2016, there are over 40,000 registered Little Free Library book exchanges in the United States and over 70 countries.

The nearest Little Free Library is in Rapho Township Park on Strickler Road. This was installed by a resident to increase literacy in the community.

Little libraries, big neighborhood impact

'Little Free Library,' an international movement, finds a home here.

- STEPHEN KOPFINGER Correspondent Mar 7, 2013



A Little Free Library run by a friend in Lebanon County inspired this version in the Lancaster Township neighborhood on Helena Road.

In this age of Kindles and tablets and computerized whatnot, some say that the age of getting your hands on a good old-fashioned book is fading. Don't tell that to people like Deborah Chu and Christopher Brooks, and all the people who benefit from their participation in something called Little Free Library. They are part of something so unpretentious and basic, it almost makes you stop to comprehend the simple idea of "take a book, return a book."

Basically, the Little Free Library, a worldwide movement which originated in Wisconsin, involves bibliophiles who install on their front lawns little cabinets which contain books for all to borrow and enjoy.

Brooks is one of the participants. His home, just outside downtown Lancaster, contains a vast collection of books, ranging in subject from the works of Vladimir Nabokov to matters centering on Judaica, or Jewish studies. His front-lawn Little Free Library cabinet - "It was some kind of packing crate," he says - might feature something like author Tom Wolfe's iconic crystallization of the 1980s, "The Bonfire of the Vanities."

"I just (put) it out there," says Brooks, a freelance violinist, violin teacher and senior consultant with acousticdimensions.com, a website which promotes acoustics for educational facilities, auditoriums, performing arts centers and civic facilities.

"I figure people will find it," he says of his shared book collection, which was started last fall. What he has is a small collection; "only about seven, but the box (can hold) up to 20," Brooks says.

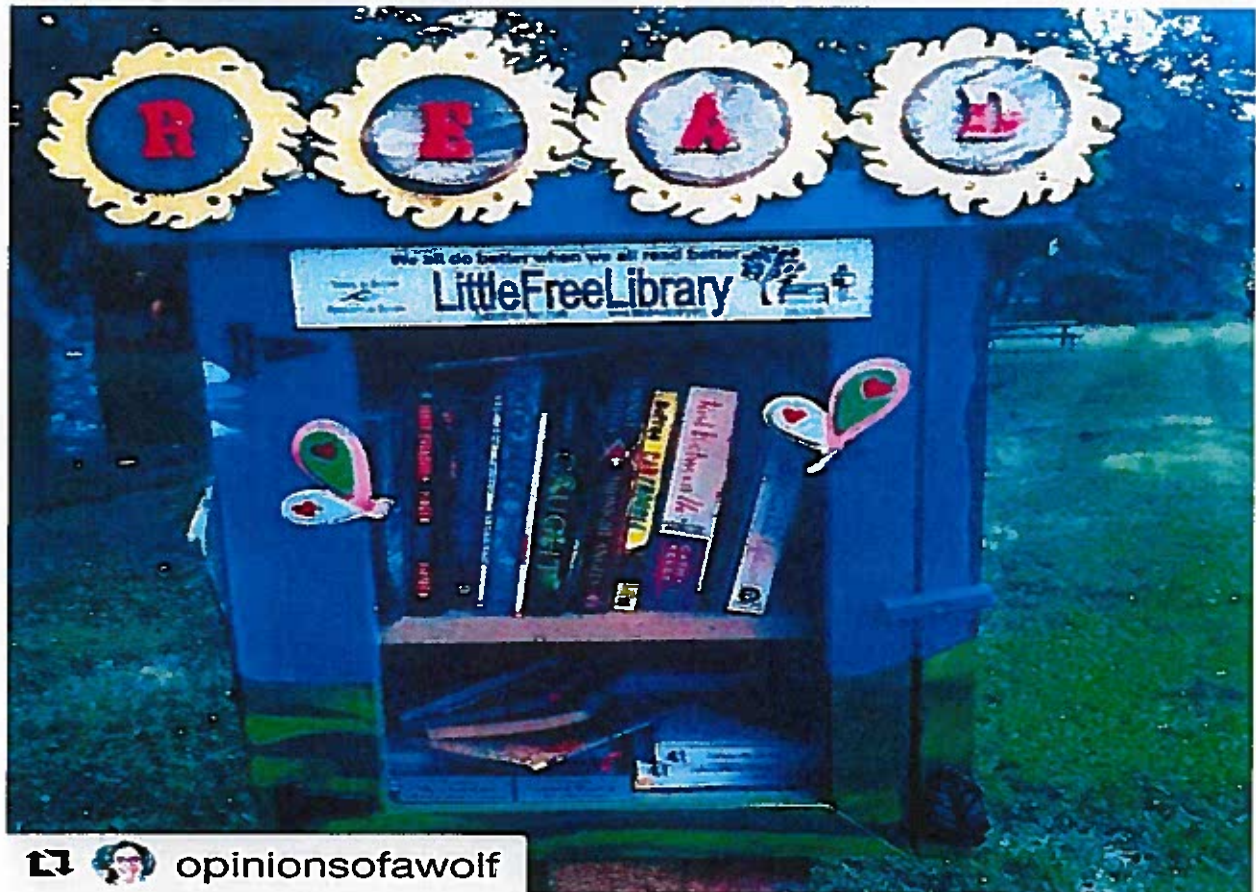
That same kind of thinking motivates Chu, whose Little Free Library cabinet on Helena Road might be mistaken, at first glance, for a bird feeder. It has a sloped roof and a hinged glass door. The cabinet, like the books inside, reflects a "green" attitude, making use of good, existing things. Chu's neighbors, Chuck and Marilyn Hull, were eager to help, right down to the cabinet itself. "It's a kitchen cabinet, from the Habitat for Humanity ReStore," says Chuck Hull, who transformed the old cabinet into a lending library.

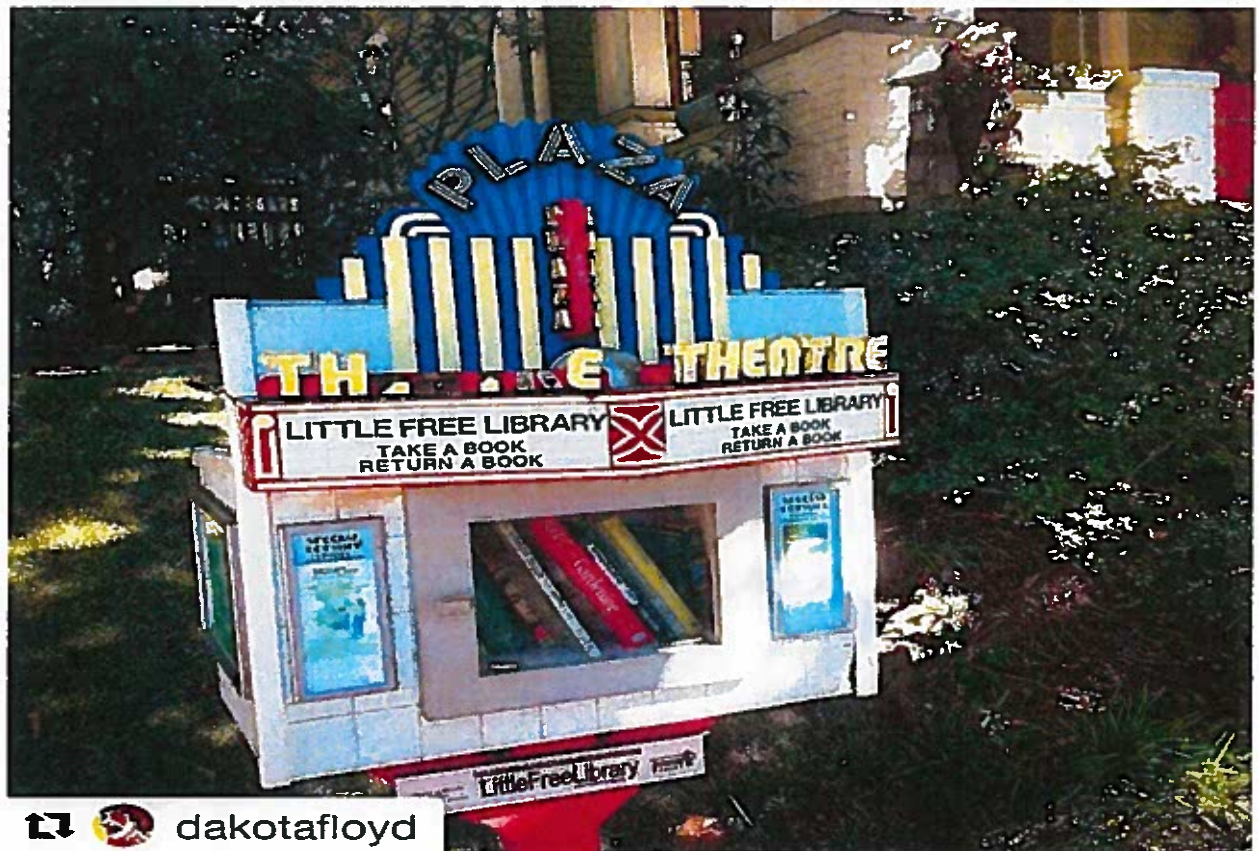
That cabinet houses more than you might think. Stop by and you might find author Mark Haddon's 2003 mystery "The Curious Incident of the Dog in the Night Time," or Bill Bryson's 1989 "The Lost Continent," a travelogue of small-town America which opens with the line "I come from Des Moines. Somebody has to." You won't really find compact discs or videotapes in these little libraries. Hardcover and paperback is pretty much what it is all about.

"I did a dry run and it can fit 50 books!" enthuses Marilyn Hull about Chu's cabinet, which, like Brooks', was launched last fall. The Little Free Library is pretty much a free-flowing thing. People take books, leave books, and if one volume never turns up again, well ... That's OK. But if you do borrow a book, it is labeled with a friendly sticker which reads, "Always a gift, never for sale." So keep in mind, this is a gift, to be shared or given to friends and family.

"Sometimes, the books don't come back, and that's fine," Chu says. But she's happy that the tradition of book reading is carrying on in her close-knit neighborhood. "The kids' books are getting used very heavily," Chu says. "We've had a lot of kids move into the neighborhood."

Both Brooks and Chu express a desire to get children into grabbing a book. "I want to put a couple of children's books into it," says Brooks of his lending collection. "We may need a wing to expand to children's books," says Marilyn Hull, of Chu's collection. Chu obtains many of her books through library sales, which, in a way, keep those books circulating. And there is one advantage if you take your time reading, Chuck Hull points out. "You won't get an overdue notice here!" For information, visit littlefreelibrary.org.





Little Free Libraries spread the words in Marietta

- CATHY MOLITORIS | LNP CORRESPONDENT Feb 1, 2016



Joyce Lehman loves to read. She wanted to share her passion with her community, and she found the perfect outlet. She opened a Little Free Library in front of her house at 304 E. Front St., Marietta. “I have so many books and I wanted to share them with other people,” she says.

Lehman got the idea to open the library after reading a magazine article about the organization. “I said to my husband, ‘I just learned there’s a Little Free Library organization. We need to start something in Marietta,’ “ she says. In May 2014, with help from her husband, Ernie, Lehman opened her library. Cabinets outside her house hold books that are offered free for anyone who wants to take one and/or leave one.

Honoring his mom

The Little Free Library organization began in 2009, when Todd Bol, of Hudson, Wisconsin, built a miniature one-room schoolhouse structure to hold books to honor his mother, a teacher

Mount Joy Borough

Memo

To: Borough Council
From: Stacie Gibbs, Planning, Zoning and Codes Administrator
cc: Sam Sulkosky, Borough Manager
Date: December 30, 2016
Re: Wireless Facilities In The Street Rights-Of-Ways

Information contained in this Memorandum is regarding the installation of wireless facilities in the street rights-of-ways. This information was also presented to the Council Public Works Committee on Monday, December 12, 2016, and the Planning Commission on December 14, 2016. The Planning Commission to action and recommended Council authorize the Solicitor and staff to draft amendments to the Zoning Ordinance to include regulations for communication and wireless facilities to be located in the street rights-of-ways.

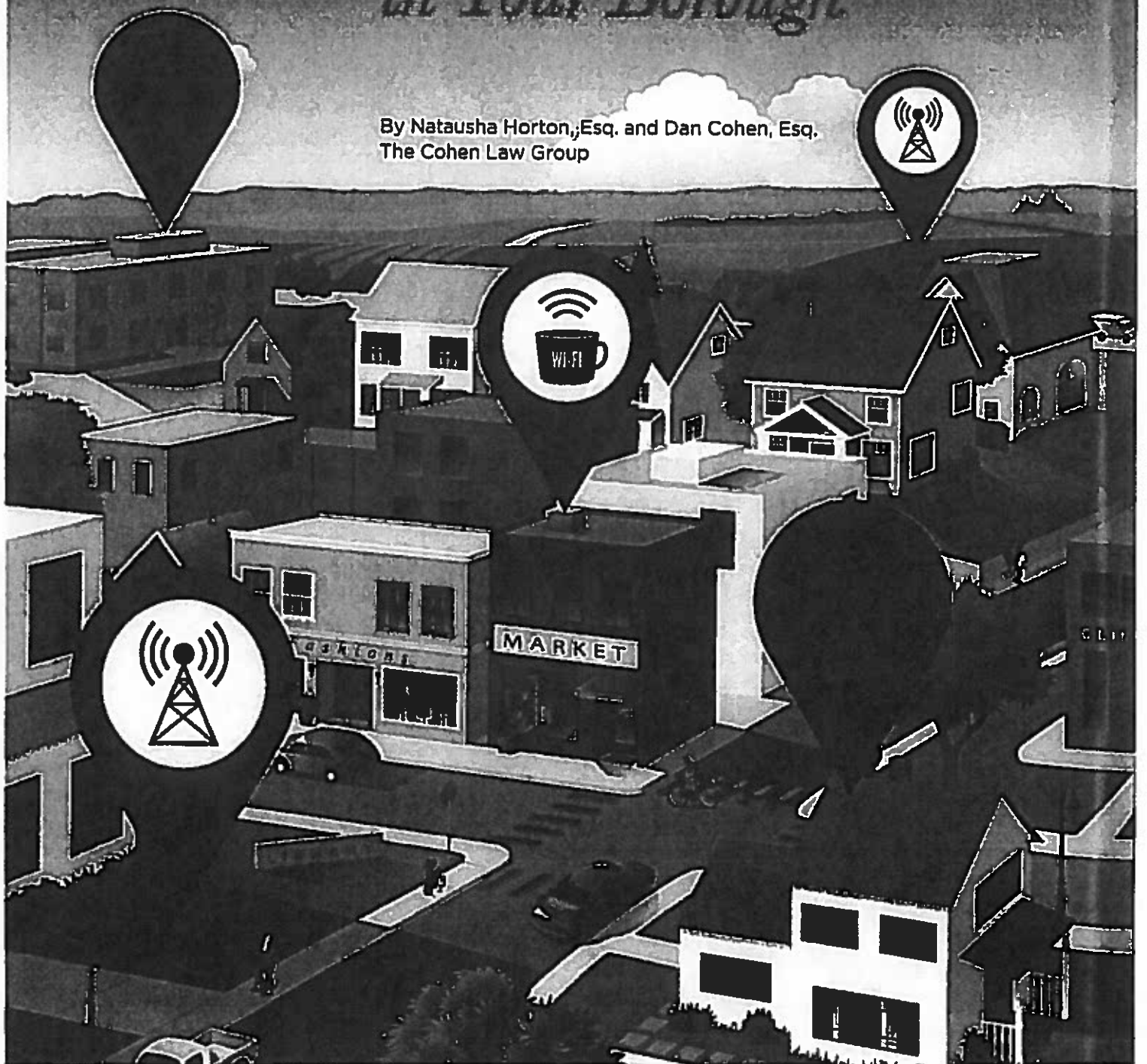
- Companies/vendors for cell phone providers are installing utility poles and wireless equipment in municipal street rights-of-ways.
- A copy of the letter and certificate from Mobilitie has been provided. Mobilitie has a Certificate of Public Convenience from the Public Utility Commission. This means, they can install their equipment in the street right-of-ways without being subject to municipal regulations.
 - Dennis Nissley and Stacie Gibbs met at the proposed location on Farmview Lane (Wellington Chase, Harvestview South) with Mobilitie representative.
 - They will be surveying the area and providing an exact location in the future.
 - A street opening permit will be required. A temporary obstruction permit will also be required.
 - No Zoning regulations will be imposed. Construction inspection from Commonwealth Code will be required for the new electrical portion of the project.
- A copy of the Borough Solicitor's letter on Mobilitie and wireless facilities has also been provided.

- An article published in the November 2016 Borough News entitled, "How To Manage Wireless Facilities in Your Borough," by The Cohen Law Group has also been provided.
 - Mini-cell towers and antennas are now appearing along streets and roads in the form of distributed antenna systems. (DAS).
 - Adds physical burden to the rights-of-ways and additional costs to the Borough in managing rights-of-ways.
 - Often unsightly.
 - Can negatively affect neighborhood property values.
 - Essential that Boroughs update zoning codes to specifically address wireless facilities in the public rights-of-ways.
 - Ensure that wireless facilities in the public rights-of-ways are zoned fairly, and not subjected to exclusionary provisions, and are not treated in a discriminatory fashion.
- Mount Joy Borough does not have any regulations in place for wireless facilities in the street right-of-way.
 - Warwick Township
 - Columbia Borough

MAIN ARTICLE

How to Manage **WIRELESS FACILITIES** *in Your Borough*

By Natausha Horton, Esq. and Dan Cohen, Esq.
The Cohen Law Group



By now the average Pennsylvanian has likely encountered wireless communications facilities in one form or another, whether by noticing one of the many lattice towers peppered along the PA Turnpike, spotting an antenna on a rooftop on Main Street, or wondering about the new mini-cell tower placed along a street in your borough.

Wireless facilities are popping up in virtually every municipality across the Commonwealth and are growing in number every year. Sometimes it seems as if your municipality has become a virtual "pin cushion" for wireless towers and antennas.

The reason for this explosion of wireless facilities is simple – the

demand for wireless broadband service has nearly doubled every year over the past several years. As communications technology companies, such as Apple and Google, create new applications for smartphones and tablets, consumers need more and more bandwidth to use them.

To accommodate this need, the four major wireless carriers – Sprint, Verizon, AT&T, and T-Mobile – have employed wireless contractors to erect as many wireless facilities as necessary to satisfy their bandwidth needs.

Demanding a quick approval process – sometimes referred to as "speed to market" – these wireless contractors have begun to locate wireless facilities – both mini-cell towers and antennas – in the public rights-of-way.

The result is that many municipalities have experienced a surge in applications for these facilities. However, unlike applications for traditional cell towers which have always been processed through zoning, wireless contractors obtain utility status from the Public Utility Commission (PUC) and then cast their requests as "right-of-way applications," under streets and sidewalks ordinances.

These applications place your borough on the horns of a dilemma. On the one hand, wireless facilities have traditionally been addressed through the zoning code. On the other hand, these new facilities are placed in the rights-of-way by companies

that have utility status and request right-of-way, rather than zoning, approval.

How should your borough handle these applications in a manner that both protects your community and is consistent with the law? How does your borough exert sufficient control over the new structures being proposed for its streets? It is first necessary to understand the nature of this new wireless technology, the role of the PUC, and the tactics of the wireless industry before addressing your legal rights and how best to respond to wireless facility applications.

Technological Advancements

As the need for wireless broadband has intensified over the past decade, companies have been charged with finding a quick, cost-effective way to keep up with consumer demand and create access to wireless data without having to construct large, expensive towers. Their solution has been the development and placement of mini-cell towers, also known as "macrocells," with a typical coverage area of 0.5 to 2.5 miles, and "microcells," typically, 100-800 meters. These technologies most often take the form of distributed antenna systems (DAS).

A DAS is a network of antennas that are spatially dispersed and strategically located to provide

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MAIN ARTICLE

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advanced wireless services such as cellular, 4G, LTE, Wi-Fi, and two-way radio communications to a targeted coverage area. A typical DAS includes a central pole, usually between 25 and 45 feet tall, with a control box topped by antennas, typically four to five feet high. It is connected to a central hub site by means of fiber optic cable and operates in conjunction with other mini towers and antennas. Its primary purpose is to boost bandwidth or capacity to an area where the existing cellular network does not offer enough capacity (i.e., a rural/suburban area where the signals cannot reach or an urban area where the network does not have sufficient capacity to meet demand).

In practice, DAS systems are usually installed in the public rights-of-way on new or existing poles. The signal radius on any individual DAS antenna is much smaller and more targeted than a signal coverage from a traditional tower; therefore, numerous antennas are needed to repair the capacity or coverage gap in the wireless network. This is the reason that multiple antennas are usually installed by the wireless contractor at the same time.

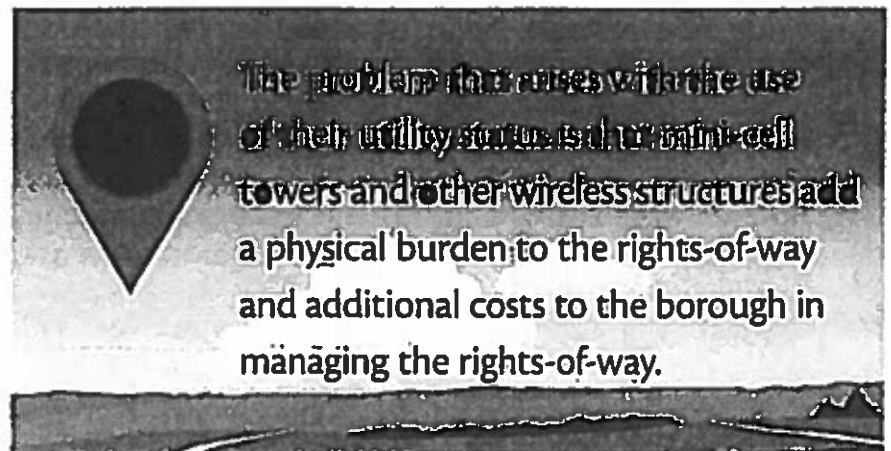
Not surprisingly, wireless companies have found that capacity gaps are most frequent in high density areas that are not in close proximity to a traditional cell tower. Because municipal zoning has historically restricted

traditional cell towers to industrial or commercial areas, gaps tend to appear most frequently in residential areas. They also arise in places where the demand for wireless data has increased dramatically over a relatively short period, such as a commercial strip or downtown area that has seen recent development.

As DAS networks are now the primary technology being used to infill capacity gaps, it is likely that your borough, if it hasn't received them already, will receive applications for such facilities within the next few years.

roads in the form of DAS. This shift in industry practice is critical, as the public rights-of-way are a borough's most valuable asset, which is why borough councils are entrusted with the fiduciary duty to maintain and preserve them for its citizens.

In order to gain access to the public rights-of-way, wireless contractors for all of the major wireless companies have obtained certificates of public convenience (CPCs) from the PUC. This privileged status grants them access to streets and roads to place their facilities. The problem that



The Role of the PUC

Traditionally, wireless facilities have been located on privately owned or municipal property. However, as the technological landscape have evolved, so has the geographical landscape for wireless facilities.

Mini-cell towers and antennas are now appearing along streets and

arises with the use of their utility status is that mini-cell towers and other wireless structures add a physical burden to the rights-of-way and additional costs to the borough in managing the rights-of-way. These costs include permitting, inspections, and traffic management. Additionally, mini-cell towers are often unsightly and can negatively affect

neighborhood property values, which is especially true in residential subdivisions in which all utilities are required to be placed underground.

Recently, some municipalities have questioned whether wireless contractors should be entitled to utility status at all.

Over the past several years, the PUC has received complaints that wireless contractors have used their utility status to access private property without having to negotiate a lease or obtain a standard easement from the property owner. In addition, utility status confers enormous powers, including the power of eminent domain, and there is an issue as to whether wireless contractors, let alone wireless carriers, should be granted such power.

Recognizing the significant rights and privileges that accompany certification, the PUC recently opened a public inquiry into whether wireless contractors should receive utility designation.

This past summer, Cohen Law Group submitted comments on behalf of the Pennsylvania State Association of Boroughs (PSAB), the Pennsylvania Municipal League (PML), the Pennsylvania State Association of Township Supervisors (PSATS), and the Pennsylvania State Association of Township Commissioners

(PSATC). These associations, and more than 100 Pennsylvania municipalities, urged the PUC to discontinue the granting of utility status to wireless contractors based on federal and state legal principles. The PUC has not yet issued a decision in the matter.

Industry Tactics

Most wireless contractors are candid as to their intentions and are generally willing to comply with municipal zoning regulations. Others have decided to take a different approach.

One company, which is one of the largest wireless contractors in the country, and has been submitting "Right-of-Way Utilization" applications to municipalities across the Commonwealth, presents itself as a public utility with an unfettered right to access to the public rights-of-way.

The cover letter accompanying the typical application asserts the company's utility status and identifies the recipient municipality's streets and sidewalks ordinance as the governing authority for its facilities installation. Despite federal law, these applications reflect a disregard for the municipality's zoning code, although the company is clearly aware of the fact that their facilities are subject to zoning regulations.

In addition, the typical cover letter refers to its proposed facilities

as "small cells." Yet, upon review of the application itself, the "small cell" facility that it proposes is usually between 80 and 120 feet in height. No matter how you spin it, a 100-foot cell tower in the public rights-of-way is not small.

Boroughs must be careful when reviewing applications, as it is easy to inadvertently permit a very large tower along your street if close attention isn't paid to the company's application and proposed facility renderings.

Other companies use even more aggressive tactics when boroughs decide to amend their old cell tower ordinances. Recently, one company launched a campaign in PA to try to persuade municipalities not to take legal and reasonable steps to update their zoning codes. In some instances, company representatives showed up at borough council meetings in which a proposed ordinance is on the agenda, even though there is no facility being proposed. At such public meetings, representatives accuse council of "over-regulation," even though the proposed regulations are balanced and well within the law.

This company has even crafted its own wireless facilities ordinance and has offered it to boroughs and other municipalities.

Not surprisingly, the ordinance being offered is one-sided and

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MAIN ARTICLE

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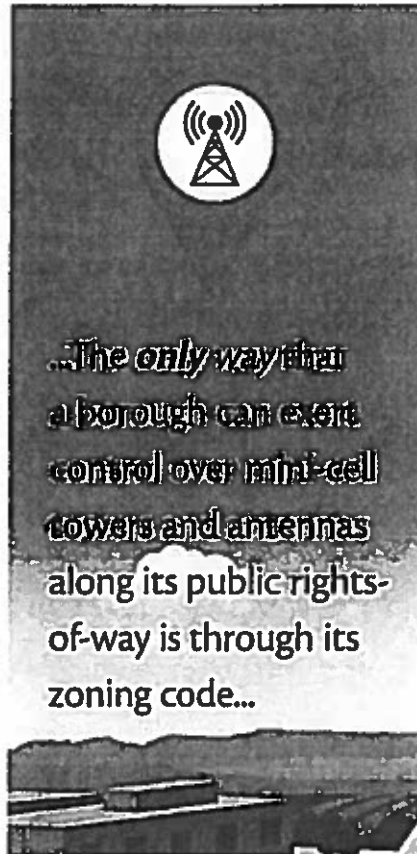
minimizes municipal rights. It is biased in that it makes it easy for wireless companies to place mini-cell towers in the public rights-of-way and does not protect sensitive areas. It does not take into account a borough's character, common sense municipal protections, areas where all utilities are underground, or whether the borough has any historic areas. Effectively, it creates a regulatory gateway for wireless companies to install towers and antennas without the involvement of borough council. Be wary of this ordinance as it does not protect your legal rights.

Recommended Municipal Response

The wireless industry's shift to using mini-cell towers and antennas in the public rights-of-way is the new paradigm and it is likely permanent. It is, therefore, critical that boroughs create a legally sustainable framework by which they can process applications and still maintain control over their streets and roads without violating the law.

Pursuant to the Telecommunications Act of 1996, the construction, placement, and modification of all wireless facilities are subject to municipal zoning regulations. This position is also upheld by the Federal Communications Commission through its many wireless facility orders as well as the federal courts.

As such, the only way that a borough can exert control over mini-cell towers and antennas along its public rights-of-way is through its zoning code, regardless of



whether the applicant holds public utility status. Even if the wireless contractor submits a "right-of-way application" and insists that, due to its utility status, it should be governed by your streets and sidewalks ordinance, it is recommended that such applications be handled through zoning. This approach not only maximizes your borough's legal rights, but it is also consistent with federal and law.

It is essential, therefore, that boroughs update zoning codes

to specifically address wireless facilities in the public rights-of-way, as well as changes in the law at the state and federal levels. If there are no zoning regulations in place for wireless contractors to follow, or if your zoning regulations apply only to traditional cell towers and antennas, then the companies can (and most assuredly will) use their utility status to place facilities wherever they please. While amendments to your zoning code should assert the borough's control over its rights-of-way, it must also ensure that wireless facilities in the public rights-of-way are zoned fairly, are not subjected to exclusionary provisions, and are not treated in a discriminatory fashion.

Among other provisions, the zoning regulations should at least achieve the following:

- Address new wireless technologies, including DAS and related wireless advancements;
- Include design requirements and standards of care;
- Incorporate provisions protecting the character of borough neighborhoods;
- Organize the regulations into separate requirements for towers and antennae facilities;
- Include separate requirements for wireless facilities inside and outside the public rights-of-way;
- Give preference to and address collocated facilities (antennas on other support structures);

- Allow for the collection of fees to recover borough costs of managing wireless facilities in the rights-of-way;
- Incorporate recent judicial and regulatory changes in federal and state law; and
- Add restrictions on wireless facilities in historic districts.

By taking a proactive approach to wireless facility management via the zoning code, your borough can exert control over the placement, construction, and design of new wireless facilities – those proposed in the public rights-of-way and those proposed on private property. Of course, it is important for your residents and visitors to be able to access reliable wireless broadband service, but it is equally important for your borough to be able to preserve the character of its neighborhoods. Through a carefully crafted wireless ordinance, you can strike a proper balance between and convenience and community.

About the Authors: The Cohen Law Group (CLG) specializes in representing public and private sector clients in cable, telecommunications, and broadband matters. Visit www.cohenlawgroup.com or contact Dan Cohen, Esq., at dcohen@cohenlawgroup.org or Natausha M. Horton, Esq., at nhorton@cohenlawgroup.org.



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Memo

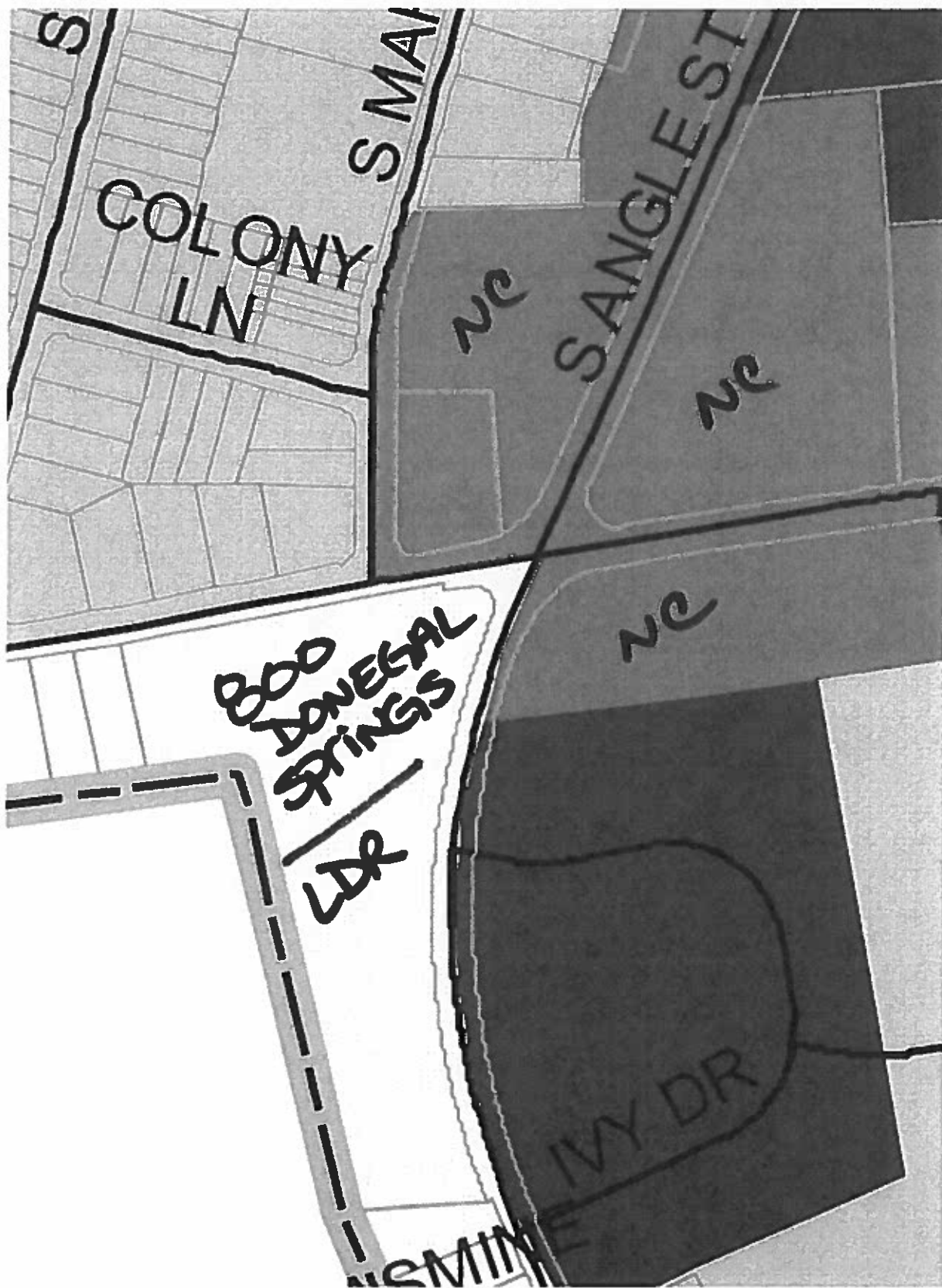
To: Borough Council
From: Stacie Gibbs, Zoning & Code Officer
cc: Sam Sulkosky, Borough Manager
Date: December 30, 2016
Re: Cross Roads Brethren In Christ, 800 Donegal Springs Road

The Zoning Officer received a call regarding the new internally illuminated sign installed at the above property. This call led to a discussion between the Zoning Officer and one of the Planning Commission members. The Church did not apply for a sign permit, and the Zoning Officer contacted the Pastor to advise that they would need to apply for a permit. The permit has been properly applied for and issued.

The Zoning Officer and the Commission member then realized that this parcel is currently zoned Low Density Residential, which makes the place of worship use an existing nonconforming use according to the Zoning Ordinance. The other properties at this intersection were all rezoned to Neighborhood Commercial. The Neighborhood Commercial Zoning District permits places of worship by right.

Therefore, in an effort to be consistent, the Planning Commission discussed this at their November 9, 2016 meeting and recommended Council, authorize staff and the Borough Solicitor to draft an amendment to rezone the Cross Roads Brethren In Christ property from Low Density Residential to Neighborhood Commercial.

This action could also be in coordination with any potential amendments to the Ordinance for accessory free libraries and wireless facilities in the street rights-of-ways, saving costs for advertising, etc.





Surveyors - Engineers - Landscape Architects

December 22, 2016
VIA EMAIL

Ms. Stacie M. Gibbs, BCO
Zoning / Code Officer
Mount Joy Borough
21 East Main Street
Mount Joy, PA 17552

SUBJECT: SM Johns & Son Construction, LLC
Time Extension Letter
DCG Project Number 4528-20

Dear Ms. Gibbs:

Please accept this time extension letter for the Preliminary/Final Land Development Plan for SM Johns & Son Construction, LLC. Mount Joy Borough Council conditionally approved the plan at their October 3, 2016 meeting. The plan expires on January 17, 2017. We are requesting a time extension of 90 days to April 17, 2017. The time extension is based on the requirements in Section 240-29 of the Mount Joy Borough Subdivision and Land Development Ordinance and Section 513 of the PA MPC. The extension of time will permit the applicant to post the letter of credit and record the plan.

If you have any questions please advise.

Sincerely,

D. C. Gohn Associates, Inc.



Brian R. Cooley
Staff Landscape Architect

Cc: SM Johns & Son Construction, LLC (via email)
File



**BOROUGH OF MOUNT JOY
PUBLIC WORKS DEPARTMENT
MEMORANDUM**

TO: Sam Sulkosky, Borough Manager

FROM: Dennis Nissley, Public Works Director

DATE: January 3, 2017

RE: Public Works Department Activities for December, 2016

Following is a list of activities for the Public Works Department for December, 2016:

- Parks – Equipment service and Maintenance
- Parks – Repair/Paint Equipment
- Parks – Park/playground inspections
- Parks – Attend pesticide training class
- Streets – Repair pot holes
- Streets - Inlet cleaning
- Signs – Replacement and repairs as needed
- Equipment – Routine Maintenance
- Equipment – Repairs and painting
- Attend various staff meetings
- Staff meeting for winter maintenance preparation
- Attend Council meeting and Public Works meeting
- Salted streets for 2 minor snow events

Understanding HB 1683 (Act 172 of 2016)

Background on local taxation

Note: Local municipalities can't tax their residents unless the PA General Assembly specifically authorizes a tax. In addition, local municipalities can't offer or provide a tax credit unless it is specifically authorized by the PA General Assembly.

Under current state taxing laws, local municipalities are authorized to enact both a "property tax" and an "earned income tax" in addition to other types of taxes.

Act 172 authorizes local municipalities (boroughs/townships/cities) to enact a tax credit for certain first responders as a recruitment and retention tool.

Under Act 172, there are two types of tax credits authorized:

1. Property tax
2. Earned income tax

Important: Act 172 is not a mandate on the municipalities, it is just an authorization should they choose to exercise this option.

ACT 172

Authorization

- Authorizes municipalities to provide a real property and earned income tax credit to qualified active volunteers to be applied against an active volunteer's tax liability.

Establishment

- A tax credit must be established by ordinance.
- If a municipality chooses to enact a tax credit, it must provide at least 30 days public notice of the intent to adopt an ordinance establishing a tax credit and at least one public hearing must be held on the issue.

Earned income tax credit

- Municipality sets the amount for the earned income tax credit.

Property tax credit

- The amount of the property tax credit may not be more than 20% of the individual's property tax liability. This means that the municipality can set any amount up to 20%.

Duration of credits

- Any tax credit is to remain in effect until the governing body of the municipality repeals the tax credit.

Who qualifies to apply, if tax credit enacted by a municipality?

- An individual who:
 1. Is an active volunteer of a volunteer fire company or a nonprofit emergency medical services agency.
 2. Is subject to one or both of the taxes listed above.
 3. Has submitted an application for certification by their chief or supervisor of the fire or EMS company.

Active volunteer

- A volunteer of a volunteer fire or EMS company.
- Has complied/fulfilled the requirements of the volunteer service credit program

Credit program

- Municipality annually establishes the requirements for the certification of an active volunteer.

Activities to be considered by municipality for requirements

- A municipality shall consider the following activities in determining the credit toward certification of active service:
 1. Number of emergency calls responded to by the volunteer.
 2. The level of training and participation in formal training and drills for a volunteer.
 3. Total amount of time expended by a volunteer on administrative and other support services, including fundraising and facility or equipment maintenance.
 4. Involvement in other events or projects that aid the financial viability, emergency response or operational readiness of a volunteer fire company or EMS company.
- With the advice of the head officer for the fire or EMS company or their designees, a municipality is to adopt guidelines, forms and an application for the program.

The process

- Service logs are to be maintained by the chiefs or supervisors and be subject to periodic review.
- An active volunteer who receives an injury due to responding to a call and would otherwise qualify for a tax credit shall be eligible for a tax credit for the succeeding five tax years.
- The chief or supervisor and another officer of the fire or EMS company must sign a submitted application for certification attesting to the volunteer's status as an

active volunteer or that the volunteer can no longer serve as an active volunteer due to injury.

- The fire chief or EMS supervisor must submit a notarized list of eligible volunteers to the governing body of the municipality, no later than 45 days before tax notices are to be distributed.
- Allows the active volunteer to be eligible for a tax credit under the act when filing a joint return.

Rejection and appeal

- Requires a municipality to provide by ordinance a process for rejecting a tax credit claim and for active volunteers to appeal a rejected claim.
- Creates a misdemeanor of the first degree offense for false service record reporting, punishable by a fine of \$2,500. This monetary penalty in the bill effectively removes the sentencing guideline as well as a penalty of imprisonment as provided for under Title 18.

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